

**TITLE IV: RULES FOR FAMILY LAW PROCEEDINGS IN DISTRICT COURTS AND
IN THE FAMILY COURT FOR THE PARISH OF EAST BATON ROUGE**

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TITLE IV RULES:

RULES FOR FAMILY LAW PROCEEDINGS IN DISTRICT COURTS AND IN THE FAMILY COURT FOR THE PARISH OF EAST BATON ROUGE

***Comment:** Title II of the District Court Rules was made applicable to Title IV via Supreme Court Order that took effect on June 1, 2014, subject to exclusionary exceptions contained in Rules 9.8, 9.9, and 9.15 of Title II, due to the expedited nature of family law proceedings.*

PART I: RULES APPLICABLE TO ALL FAMILY LAW PROCEEDINGS

CHAPTER 22. APPLICATION OF RULES

Rule 22.0: Application of Rules

The Rules and Appendices in Title IV supplement the Rules and Appendices of Titles I and II of the Louisiana District Court Rules and apply to all Louisiana family law proceedings in general jurisdiction district courts and in specialized jurisdiction district courts. *See* Appendix 22.0 for a list of courts having divisions or sections handling family law proceedings.

Comment

- (a) *See also* Rule 3.1 and Appendix 3.1 of Title I addressing divisions of court to determine if a judicial district has created specialized divisions or sections of court to handle family law matters.
- (b) La. R.S. 13:587.4 permits the creation of specialized divisions or sections handling family law proceedings.
- (c) *See* Title V for juvenile proceedings.

Rule 22.1: Family Law Proceedings Defined

Family law proceedings, for purposes of application of these Rules, are defined as:

- (a) all family law actions that involve separation, divorce, or annulment proceedings, as well as all issues that are ancillary thereto;
- (b) all child-related actions in marital and non-marital family law cases and all issues ancillary thereto, except as provided herein;
- (c) all civil family law protective orders issued including actions filed pursuant to The Domestic Abuse Assistance Act, The Post-Separation Family Violence Relief Act, and Uniform Abuse Prevention Orders;

- (d) all actions filed seeking to have a foreign judgment or order, or judgment or order of any other judicial district of this state, recognized and enforced that are described within these rules;
- (e) the partition of and adjudication of issues arising from legal or contractual matrimonial regimes or from partly legal and partly contractual matrimonial regimes;
- (f) other matters designated by law or court-specific rule as “family law proceedings”; and
- (g) enforcement of orders in any of these matters, including the issue of contempt of court.

CHAPTER 23. NOTICE AND EXCHANGE OF INFORMATION

Rule 23.0: Pre-Hearing Exchange of Information

- (a) The courts listed in Column I of Appendix 23.0A require the pre-hearing filing, exchange, or submission of an affidavit or parts thereof similar to an Appendix 23.0B *Family Law Affidavit*. The suggested *Income and Expense Sheet* appears in Section VIII of the Appendix 23.0B *Family Law Affidavit*. The courts listed in Column II of Appendix 23.0A require the pre-hearing filing, exchange, or submission of a joint custody implementation plan similar to the applicable plan provided in Appendix 29.1A. In those jurisdictions that require the affidavit, the parties shall file, exchange, and/or submit the affidavit and/or joint custody implementation plan in accordance with the court-specific deadlines set forth in Appendix 23.0A.
- (b) The courts listed in Column III of Appendix 23.0A may issue an Appendix 23.0C *Hearing Information Order* or an Appendix 23.0D *Hearing Officer Conference and Information Order*. If a court requires use of court-specific forms in place of these forms, these court-specific forms may be found in Appendix 23.0E.
- (c) Failure of any party to comply with a Rule 23.0 information order may result in the dismissal or continuance of the rule, exclusion of evidence or arguments by the non-compliant party, and/or imposition of sanctions on the non-compliant party.
- (d) For court-specific rules concerning arrearages, see Appendix 23.0F.

Rule 23.1: Pre-Trial Orders in Non-Community Property Cases

Court-specific rules for pre-trial orders in family law proceedings may be found in Appendix 23.1 for non-community property cases. Court-specific rules regarding pre-trial orders in partition of community property cases may be found in Chapter 30.

CHAPTER 24. PROCEDURE

Rule 24.0: Form of the Pleadings; Case Caption and Title

Court-specific rules concerning form of pleadings and/or caption and title requirements in family law proceedings may be found in Appendix 24.0.

Rule 24.1: Prior or Multiple Filing of Pleadings

Court-specific rules concerning prior or multiple filing of pleadings may be found in Appendix 24.1.

Rule 24.2: Allotment of Cases

Court-specific rules for allotment of cases in family law proceedings may be found in Appendix 24.2.

Comment

See also Rule 9.3 and its Appendix. Family law-specific entries in Appendix 9.3 also appear in Appendix 24.2.

Rule 24.3: Pleadings Presented for Walk-Through

Court-specific rules for the presentation of pleadings for walk-through in family law proceedings may be found in Appendix 24.3.

Rule 24.4: Attorneys Appointed To Represent Absentee Defendants

If a particular court has established a method of appointing attorneys to represent absentee defendants, a value of compensation, or other specific directive, the rule is set forth in Appendix 24.4.

Comment

See La. Code Civ. Proc. arts. 5091 through 5098.

Rule 24.5: Extensions of Time To Plead

Court-specific rules for extensions of time to plead in family law proceedings may be found in Appendix 24.5.

Rule 24.6: Restrictions on Preparation of Answers or Other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer

Courts that have adopted court-specific rules restricting the preparation of answers or other pleadings and on hearings when an answer is filed by a self-represented party are listed in Appendix 24.6.

Rule 24.7: Scheduling Hearings and Trials; Order of Business

Court-specific rules for scheduling hearings and trials in family law proceedings may be found in Appendix 24.7A. Court-specific rules for the order of business conducted in a specific court or division of court may be found in Appendix 24.7B.

Comment

See also Rules 3.1 and 9.14 and their respective Appendices. Family law-specific entries in Appendices 3.1 and 9.14 also appear in Appendices 24.7A and 24.7B.

Rule 24.8: Continuances

Court-specific rules for continuances in family law proceedings may be found in Appendix 24.8A. Suggested continuance forms are included as Appendix 24.8B (*Uncontested Motion To Continue*) and Appendix 24.8C (*Contested Motion To Continue*).

Comment

Appendices 24.8B and 24.8C originated from the 22nd J.D.C.

Rule 24.9: Discovery

Court-specific rules concerning discovery in family law proceedings may be found in Appendix 24.9.

Rule 24.10: Pre-Trial Conferences

Court-specific rules for setting pre-trial conferences in family law proceedings may be found in Appendix 24.10.

Comment

See also Rule 9.14. Family law-specific entries in Appendix 9.14 also appear in Appendix 24.10.

Rule 24.11: Hearings in Chambers Pursuant to La. R.S. 9:302

Court-specific rules authorizing hearings in chambers in family law proceedings pursuant to La. R.S. 9:302 may be found in Appendix 24.11.

Comment

See La. R.S. 9:302.

Rule 24.12: Presence of Children in the Courtroom and/or Hearing Officer Conferences

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.

Rule 24.13: Mental Health Evaluations

Court-specific rules for mental health evaluations in family law proceedings may be found in Appendix 24.13.

Rule 24.14: Uncontested Paternity Proceedings – Proof by Affidavit

Courts that have adopted court-specific rules for proof of uncontested paternity by affidavit pursuant to La. R.S. 9:572 are listed in Appendix 24.14.

CHAPTER 25. JUDGMENTS AND STIPULATIONS

Comment: See La. Code Civ. Proc. art. 1919 addressing the description of immovable property in judgments.

Rule 25.0: Rules on Preparation and Submission of Judgments

See Appendix 25.0 for court-specific rules on presentation and submission of judgments in family law proceedings.

Comment

The circulation and certification requirements set forth in District Court Rule 9.5 apply to family law proceedings.

Rule 25.1: Income Assignment Orders

See Appendix 25.1 for court-specific rules on income assignment orders.

Rule 25.2: Partition Judgments Involving Immovable Property

For partition judgments involving immovable property, the judgment language shall contain the legal description of the property, as well as the common address so that it may be properly indexed in the conveyance records.

Comment

See Chapter 30 for Rules concerning partition of community property.

CHAPTER 26. DOMESTIC VIOLENCE PROTECTIVE ORDERS

Rule 26.0: Forms, Notices, and Orders Required

Domestic Violence Protective Orders may be requested either by filing the appropriate Louisiana Protective Order Registry (LPOR) form, which may be obtained from the LPOR home page located at http://www.lasc.org/court_managed_prog/lpor.asp, or by incorporating a request for a protective order or injunction into any pleading. If the latter method is used, an appropriate LPOR Temporary Restraining Order form shall be completed and submitted with the petition seeking such relief. *See* Appendix 26.0A for a list of LPOR forms 1 to 21 mandated by La. R.S. 46:2136.2(C). *See* Appendix 26.0B for a listing of LPOR courtesy forms A through Z.

CHAPTER 27. DIVORCES PURSUANT TO LA. CIV. CODE ART. 102

Rule 27.0: Rules To Show Cause

- (a) Courts requiring the filing of the La. Civ. Code art. 102 checklist in Appendix 27.0A are listed in Appendix 27.0B.
- (b) To enter a judgment of divorce, it shall be sufficient to comply with the requirements of La. Code Civ. Proc. art. 3956(5). Those courts that grant a La. Civ. Code art. 102 divorce by affidavit are listed in Appendix 27.0C.

Rule 27.1: Forms Required for Waiver of Service and Citation

Forms that may be used for waiver of service and citation of an original petition for divorce in an action for divorce under La. Civ. Code art. 102 may be found in Appendix 27.1A. Forms that may be used for waiver of service and citation of a rule to show cause in an action for divorce under La. Civ. Code art. 102 may be found in Appendix 27.1B. Courts that require use of a specific waiver of service and citation form in a La. C.C. art. 102 divorce are listed on Appendix 27.1C.

CHAPTER 28. DIVORCES PURSUANT TO LA. CIV. CODE ART. 103

Rule 28.0: Confirmation of Defaults

For court-specific rules concerning confirmation of preliminary defaults, *see* Appendix 28.0.

Comment

See La. Civ. Code art. 103(1) and La. Code Civ. Proc. art. 1702(A) and (E).

Rule 28.1: Judgments of Divorce Under La. Code Civ. Proc. Art. 1702(E)

Confirmation of divorce under La. Civ. Code art. 103(1) may be held in open court or in chambers in the judge's discretion. Courts allowing divorce by affidavit in accordance with La. Code Civ. Proc. art. 1702(E) are listed in Appendix 28.1A. In such instances, the mover's attorney shall complete the default confirmation under the La. Code Civ. Proc. art. 1702(E) checklist attached as Appendix 28.1B to these Rules, unless this checklist is not required by court rule. The checklist and affidavit, if required, must accompany the filing of the judgment of divorce. Courts requiring a La. Code Civ. Proc. art. 1702(E) checklist are listed in Appendix 28.1C.

Rule 28.2: Judgment on the Pleadings and Summary Judgment of Divorce in Chambers Under La. Code Civ. Proc. Art. 969

(a) To obtain a divorce under La. Code Civ. Proc. Art. 969, both parties shall be represented by counsel.

(b) A judgment of divorce under La. Civ. Code art. 103(1) may be accomplished in accordance with La. Code Civ. Proc. art. 969(B). In those courts listed in Appendix 28.2A, the attorney for one of the parties shall complete the La. Code Civ. Proc. art. 969(B) uncontested divorce checklist in Appendix 28.2B. The checklist, if required, must accompany the filing of the judgment of divorce.

Rule 28.3: Forms Required for Waiver of Service and Citation

See Appendix 28.3A for a form that may be used for waiver of service and citation in an action for divorce under La. Civ. Code art. 103. Courts that require use of a specific Appendix 28.3B form for waiver of service and citation in an action for divorce under La. Civ. Code art. 103 are listed in Appendix 28.3B.

CHAPTER 29. CUSTODY AND VISITATION ORDERS

Rule 29.0: Ex Parte Custody Orders

(a) All petitions seeking an ex parte order for temporary custody of children shall comply with La. Code Civ. Proc. art. 3945. An appropriate *Affidavit of Mover in Compliance with La. C.C.P. art. 3945(B)* may be found in Appendix 29.0A. An Appendix 29.0B *Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B)* must accompany an *Application for Ex Parte Temporary Custody Order*.

(b) Court-specific rules concerning ex parte custody orders may be found in Appendix 29.0C.

Rule 29.1: Temporary Custody Orders

For court-specific rules on temporary custody orders, *see* Appendix 29.1.

Rule 29.2: Joint Custody Implementation Plans

For a listing of courts requiring the submission of a joint custody implementation plan, such as the plans in Appendices 29.2A and 29.2B, *see* Column II of Appendix 23.0A.

Rule 29.3: Parenting Classes

For court-specific rules concerning parenting classes, *see* Appendix 29.3.

Rule 29.4: Mediation

For court-specific rules concerning mediation, *see* Appendix 29.4.

Comment

See La. R.S. 9:332, et seq.

Rule 29.5: Registration of Foreign or Out-of-State Custody Orders

A sample form letter to register a foreign or out-of-state custody order may be found in Appendix 29.5.

Rule 29.6: Modification of an Existing Custody or Visitation Order

For court-specific rules on modification of an existing custody or visitation order, *see* Appendix 29.6.

CHAPTER 30. PARTITION OF COMMUNITY PROPERTY

Rule 30.0: Sworn Detailed Descriptive List

All detailed descriptive lists shall be filed in accordance with La. R.S. 9:2801. Appendix 30.0A contains a blank *Sworn Detailed Descriptive List* that parties may use in partition proceedings. Also, attached as Appendix 30.0B is a sample, completed *Sworn Detailed Descriptive List* that parties may use as a guide in completing the blank form.

Appendix 30.0C contains a blank *Joint Detailed Descriptive List* that parties may use in partition proceedings. Also, attached as Appendix 30.0D is a sample, completed *Joint Detailed Descriptive List* that parties may use as a guide in completing the blank form.

For court-specific rules concerning detailed descriptive lists, *see* Appendix 30.0E.

Rule 30.1: Court-Appointed Special Masters and Experts

For courts having special rules for appointed special masters and experts, *see* Appendix 30.1.

Comment

See La. R.S. 13:4165 for the law concerning the appointment, duties and powers, and compensation of special masters.

Rule 30.2: Rules Governing Partition of Community Property

For court-specific rules concerning partition of community property, *see* Appendix 30.2.

CHAPTER 31. OTHER RULES

Rule 31.0: Use of Electronic and Recording Devices

For court-specific rules concerning the use of electronic and recording devices, *see* Appendix 31.0.

Rule 31.1: Oral Arguments

For court-specific rules concerning oral arguments, *see* Appendix 31.1.

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For court-specific rules concerning enrollment and withdrawal of counsel, *see* Appendix 31.2.

Rule 31.3: Collaborative Divorce Procedures

For court-specific rules concerning collaborative divorce procedures, *see* Appendix 31.3.

**PART II: RULES APPLICABLE ONLY TO FAMILY LAW PROCEEDINGS
INVOLVING HEARING OFFICERS, DOMESTIC COMMISSIONERS, AND/OR
MAGISTRATES**

**CHAPTER 32. USE OF HEARING OFFICERS AND DOMESTIC COMMISSIONERS
FOR FAMILY MATTERS**

Rule 32.0: Power and Authority of Hearing Officers and Domestic Commissioners

Pursuant to Title IV-D of the Federal Social Security Act, La. R.S. 46:236.5, applicable articles of the Civil Code, the Code of Civil Procedure, the Children’s Code, and the Revised Statutes, and in furtherance of Title IV of the Louisiana District Court Rules, a district court with family jurisdiction may adopt and implement an expedited process for the establishment, modification, and enforcement of paternity and support obligations and all other family proceedings as defined by La. R.S. 46:236.5 by authorizing and directing one or more court-appointed hearing officer(s) to hear family proceedings.

Courts authorizing and directing court-appointed hearing officers, commissioners, and/or magistrates pursuant to La. R.S. 46:236.5 are listed in Appendix 32.0A. Court-specific rules on hearing officers and domestic commissioners appear in Appendix 32.0B.

Rule 32.1: Application of General Rules and Local Appendices

Where the rules in this Title are silent, Titles I and II of the Louisiana District Court Rules shall apply. To the extent that the powers of the hearing officers as set forth by Title IV-D of the Federal Social Security Act, La. R.S. 46:236.5, applicable articles of the Civil Code, the Code of Civil Procedure, the Children’s Code, and the Revised Statutes are limited or modified by individual judicial districts, *see* Title IV Chapters 33 through 36 and their Appendices.

CHAPTER 33. HEARING OFFICER PROCEDURES FOR TITLE IV-D FEDERAL SOCIAL SECURITY ACT

Rule 33.0: Objections to Recommendations of Hearing Officers in Title IV-D Matters

At the conclusion of the hearing, the hearing officer shall render a written recommendation to the court as provided for by La. R.S. 46:236.5(C)(5). Notice to litigants shall be as provided in District Court Rule 33.1.

Any objection to the written recommendation of a hearing officer on a Title IV-D matter shall be filed within five (5) days, exclusive of legal holidays, from the issuance of the recommendation.

Upon the timely filing of a written objection, the matter shall be set on the docket of the assigned district judge for hearing.

If no written objection is timely filed to the hearing officer's written recommendations, the written recommendations shall become a final judgment of the court and shall be signed by a judge and shall be appealable as a final judgment. The judgment after signature by a district judge shall be served upon the parties in accordance with law.

For court-specific rules concerning objections to written hearing officer recommendations in Title IV-D matters, *see* Appendix 33.0.

Rule 33.1: Notice to Litigants

In all Title IV-D matters, the hearing officer's written recommendations shall contain a written notice to the parties of the time and method for filing objections.

CHAPTER 34. HEARING OFFICER AND DOMESTIC COMMISSIONER PROCEDURES FOR DOMESTIC VIOLENCE PROTECTIVE ORDERS

Rule 34.0: Forms, Notices, and Orders Required

Domestic Violence Protective Orders may be requested either by filing the appropriate Louisiana Protective Order Registry (LPOR) form, which may be obtained from the LPOR home page located at http://www.lasc.org/court_managed_prog/lpor.asp, or by incorporating a request for a protective order or injunction into any pleading. If the latter method is used, an appropriate LPOR Temporary Restraining Order form shall be completed and submitted with the petition seeking such relief. *See* Appendix 25.0A for a list of LPOR forms 1 to 21 mandated by La. R.S. 46:2136.2(C). *See* Appendix 25.0B for a listing of LPOR courtesy forms A through Z.

See Appendix 34.0 for court-specific rules concerning hearing officer procedures for Domestic Violence Protective Orders.

Rule 34.1: Written Recommendations of Hearing Officers and Judgments of Domestic Commissioners

If no written objection is timely filed to the hearing officer's written recommendations or judgment of the domestic commissioner, the written recommendations shall become a final judgment of the court and shall be signed by a judge and shall be appealable as a final judgment. The judgment after signature by a district judge shall be served upon the parties in accordance with law.

Rule 34.2: Objections; Time for Filing

All objections to hearing officer recommendations and judgments of domestic commissioners involving domestic violence protective orders or injunctions shall be made contemporaneously, at the close of the hearing. Any party desiring to object shall immediately notify the deputy clerk of court present in the courtroom. The hearing officer or domestic commissioner shall then ensure that a hearing date is obtained from the assigned judge, and shall notify the parties of same in open court. Both parties shall remain in the courtroom until notified of the date and place of the rehearing before the district judge. The rehearing shall be held thereafter in accordance with La. Code Civ. Proc. art. 3604(C).

For court-specific rules concerning objections to rulings of a hearing officer or domestic commissioner and the time for filing such objections, *see* Appendix 34.2.

Rule 34.3: Notice to Litigants

In all proceedings for domestic violence protective orders or injunctions, the hearing officer's written recommendations and judgments of the domestic commissioner shall contain a written notice to the parties informing them of the above-stated time and method for filing objections.

CHAPTER 35. GENERAL PROCEDURES FOR HEARING OFFICER CONFERENCES

Rule 35.0: Scheduling

In those courts where hearing officer conferences are required, the following rules are applicable:

- (a) Upon filing pleadings on family proceedings, all parties will be required to attend a hearing officer conference with a hearing officer unless specifically waived by the court.
- (b) Each party shall provide documentation to the hearing officer and the other party in accordance with the *Hearing Officer Conference and Information Order*.
- (c) All parties shall be provided appropriate notice of the *Hearing Officer Conference and Information Order*.
- (d) The hearing officer conference will be scheduled expeditiously. All parties shall comply with the *Hearing Officer Conference and Information Order*.

Comment

A *Hearing Officer Conference and Information Order* may be found in Appendix 23.0D.

Rule 35.1: Failure To Timely Comply with Hearing Officer Conference and Information Order and Affidavit

If a party does not provide the required financial information as ordered by the court necessary for the hearing officer to make a determination as to the amount of child support or spousal support, then the hearing officer, in order to do substantial justice, may: (1) recommend that the party failing to produce the financial information be found in contempt of court with sanctions to be imposed; and/or (2) recommend that the matter be dismissed without prejudice; and/or (3) recommend that good cause exists to modify the retroactivity of the award; and/or (4) make temporary recommendations based upon the limited information provided; and/or (5) recommend that the attorney or self-represented parties who failed to produce the financial information pay the reasonable expenses, including attorney fees, caused by the failure. If the hearing officer is unable to make a recommendation based upon the information provided, the court may set a limited hearing for purposes of setting temporary child support or spousal support or contempt of court. The temporary order shall be without prejudice and shall not affect claims of retroactivity except for good cause shown.

For court-specific rules concerning failure to timely comply with an Appendix 23.0D *Hearing Officer Conference and Information Order* and/or an Appendix 23.0B *Family Law Affidavit*, see Appendix 35.1.

Comment

See La. Code Civ. Proc. art. 1471(C).

Rule 35.2: Hearing Officer Conference Report

At or within a reasonable time following the hearing officer conference, the hearing officer shall also prepare a written conference report in compliance with La. R.S. 46:236.5(C)(5).

Rule 35.3: Failure To Appear or Remain for Hearing Officer Conference

If a party or attorney who, after having been duly cited and served with process, fails to appear or remain for the duration of a hearing officer conference, or is ejected from the conference for disorderly or disruptive behavior, the hearing officer may impose or recommend a finding of contempt and appropriate sanctions in accordance with La. R.S. 46:236.5(C)(3)(f) and La. R.S. 46:236.5(C)(4)(g), or any other remedy provided by law.

Rule 35.4: Stipulations at Hearing Officer Conference

If both parties agree on some or all of the issues before the court during the hearing officer conference, the hearing officer shall prepare a written stipulation for the review and execution of the parties and their legal counsel (if represented), together with an appropriate judgment or order incorporating and implementing the agreement of the parties. The stipulation shall contain an acknowledgment that no objection or appeal may be filed. If the parties do not agree on all issues before the court, the hearing officer shall prepare a written conference report in accordance with La. R.S. 46:236.5(C)(5).

A sample *Stipulation* form may be found in Appendix 35.4.

Rule 35.5: Objections To Written Recommendations of Hearing Officer and Judgments of Domestic Commissioner

Any objection to the written recommendation of a hearing officer and judgment of the domestic commissioner shall be filed with the clerk of court within five (5) days, exclusive of legal holidays, from the issuance of the recommendation. For court-specific rules concerning objections to hearing officer recommendations and judgments of domestic commissioners, *see* Appendix 35.5.

Comment

See La. R.S. 46:236.5(C)(6) and (7).

Prior to the implementation of this Rule, district courts had varying objection delay times. In the interest of justice, and considering the increase in the number of self-represented parties involved in

family law proceedings who are unfamiliar with the workings of the legal system, the five-day delay was adopted.

Rule 35.6: Method of Providing Notice of Objections To Opposing Parties

A party filing an objection shall provide the hearing officer and all parties with a copy of the objection. The objecting party shall provide a copy of the objection to all parties at the same time and in the same manner in which the objection was delivered to the clerk of court, or in a manner in which all parties receive a copy at the same time or earlier.

Rule 35.7: Trial After Objections Filed

If any party files a timely objection to the recommendations of the hearing officer, then the matter shall be set before the judge for hearing. *See Appendix 35.7* for court-specific rules for setting hearing dates. The judge shall not be bound by the recommendation of the hearing officer. Further, the judge may review the hearing officer's conference report, and shall accept, reject, or modify in whole or in part the findings of the hearing officer and give them such weight as deemed appropriate based on the evidence adduced at the hearing.

Rule 35.8: Adoption of Hearing Officer's Recommendation As Temporary Order After Objection

If a written objection to the hearing officer recommendation is timely filed, then the court may, in its discretion, adopt the findings as temporary orders, upon signature of the assigned judge, pending the final disposition of the claims by the court. Any temporary orders signed by the district judge shall be considered interlocutory. This temporary order shall be without prejudice and shall not affect the retroactivity claims of the parties.

For court-specific rules concerning adoption of a hearing officer's recommendation as a temporary order after objection, *see Appendix 35.8*.

Rule 35.9: Adoption of Hearing Officer Recommendations Upon Failure To Appear At Trial

If an objecting party does not appear at the time on which the matter is scheduled for trial, then the judge shall accept, reject, or modify in whole or in part the findings of the hearing officer.

CHAPTER 36. SPECIFIC PROCEDURES FOR HEARING OFFICER CONFERENCES
-- RESERVED

**PLACEMENT CHART SHOWING LOCATIONS OF
COURT-SPECIFIC RULES UNDER NEW TITLE IV RULES (EFFECTIVE JULY 1, 2015)**

COURT	PARISH(ES)	PLACEMENT OF COURT-SPECIFIC TITLE IV RULES IN NEW TITLE IV APPENDICES
1 st JDC	Caddo	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.2 (“Court-Specific Rules Concerning Allotment”), • 24.5 (“Court-Specific Rules Concerning Extensions of Time To Plead in Family Law Proceedings”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.7B (“Court-Specific Rules Concerning Order of Business”), • 24.8A (“Court-Specific Rules Concerning Continuances in Family Law Proceedings”), • 24.10 (“Court-Specific Rules Concerning Setting of Pre-Trial Conferences”), • 25.0 (“Court-Specific Rules on Preparation and Submission of Judgments in Family Law Proceedings”), • 25.1 (“Court-Specific Rules on Income Assignment Orders”), • 27.0C (“Court-Specific Rules Concerning Allowance of Divorce by Affidavit in a La. C.C. art. 102 Divorce”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), • 29.1 (“Court-Specific Rules Concerning Temporary Custody Orders”),

		<ul style="list-style-type: none"> • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).
2 nd JDC	Bienville, Claiborne, & Jackson	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.11 (“Court-Specific Rules Authorizing Hearings in Chambers in Family Law Proceedings Pursuant To La. R.S. 9:302”), • 27.0B (“Courts That Require the Filing of a La. C.C. art. 102 Checklist”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), • 29.3 (“Court-Specific Rules Concerning Parenting Classes”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).
3 rd JDC	Lincoln & Union	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.6 (“Court-Specific Rules Restricting the Preparation of Answers or Other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.7B (“Court-Specific Rules Concerning Order of Business”), • 24.11 (“Court-Specific Rules Authorizing Hearings in Chambers in Family Law Proceedings Pursuant To La. R.S. 9:302”), • 29.4 (“Court-Specific Rules Concerning Mediation”), and

		<ul style="list-style-type: none"> • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).
4 th JDC	Ouachita & Morehouse	<p>Rules may be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), 27.0B (“Courts That Require the Filing of a La. C.C. art. 102 Checklist”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), and 29.3 (“Court-Specific Rules Concerning Parenting Classes”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), • 34.0 (“Court-Specific Rules Concerning Hearing Officer Procedures for Domestic Violence Protective Orders”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).
5 th JDC	Franklin, Richland, & West Carroll	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.10 (“Court-Specific Rules Concerning Setting of Pre-Trial Conferences”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).

6 th JDC	East Carroll, Madison, & Tensas	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.11 (“Court-Specific Rules Authorizing Hearings in Chambers in Family Law Proceedings Pursuant To La. R.S. 9:302”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).
7 th JDC	Catahoula & Concordia	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 24.2 (“Court-Specific Rules Concerning Allotment”) and • 24.11 (“Court-Specific Rules Authorizing Hearings in Chambers in Family Law Proceedings Pursuant To La. R.S. 9:302”).
8 th JDC	Winn	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.6 (“Court-Specific Rules Restricting the Preparation of Answers or Other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 29.3 (“Court-Specific Rules Concerning Parenting Classes”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).
9 th JDC	Rapides	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or

		<p>Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”),</p> <ul style="list-style-type: none"> • 24.6 (“Court-Specific Rules Restricting the Preparation of Answers or Other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).
10 th JDC	Natchitoches	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 27.1C (“Courts That Require Use of a Specific Waiver of Service and Citation Form in a La. C.C. art. 102 Divorce”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), • 28.3B (“Courts That Require Use of a Specific Waiver of Service and Citation Form in a La. C.C. art. 103 Divorce”), • 29.3 (“Court-Specific Rules Concerning Parenting Classes”), • 31.2 (“Court-Specific Rules Concerning Enrollment and Withdrawal of Counsel”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).
11 th JDC	Sabine	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 24.2 (“Court-Specific Rules Concerning Allotment”) and • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”).

12 th JDC	Avoyelles	Rule may now be found in Appendix 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”).
13 th JDC	Evangeline	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.12 (“Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).
14 th JDC	Calcasieu	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.2 (“Court-Specific Rules Concerning Allotment”), • 24.4 (“Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.7B (“Court-Specific Rules Concerning Order of Business”), • 24.8A (“Court-Specific Rules Concerning Continuances in

		<p>Family Law Proceedings”),</p> <ul style="list-style-type: none"> • 24.10 (“Court-Specific Rules Concerning Setting of Pre-Trial Conferences”), • 24.12 (“Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences”), • 24.13 (“Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings”), • 25.0 (“Court-Specific Rules on Preparation and Submission of Judgments in Family Law Proceedings”), • 27.0B (“Courts That Require the Filing of a La. C.C. art. 102 Checklist”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), • 29.3 (“Court-Specific Rules Concerning Parenting Classes”), • 29.4 (“Court-Specific Rules Concerning Mediation”), • 30.0E (“Court-Specific Rules Concerning Detailed Descriptive Lists), • 31.0 (“Court-Specific Rules Concerning Use of Electronic and Recording Devices”), • 31.2 (“Enrollment and Withdrawal of Counsel”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”)
15 th JDC	Lafayette, Acadia, & Vermilion	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”),

		<ul style="list-style-type: none"> • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.5 (“Court-Specific Rules Concerning Extensions of Time To Plead in Family Law Proceedings”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.7B (“Court-Specific Rules Concerning Order of Business”), • 24.8A (“Court-Specific Rules Concerning Continuances in Family Law Proceedings”), • 24.9 (“Court-Specific Rules Concerning Discovery”), • 24.10 (“Court-Specific Rules Concerning Setting of Pre-Trial Conferences”), • 24.12 (“Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences”), • 24.13 (“Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings”), • 27.0C (“Court-Specific Rules Concerning Allowance of Divorce by Affidavit in a La. C.C. art. 102 Divorce”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), • 28.2A (“Courts That Require the Filing of a La. C.C.P. art. 969(B) Divorce Checklist”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), • 29.3 (“Court-Specific Rules Concerning Parenting Classes”), • 29.4 (“Court-Specific Rules Concerning Mediation”), • 30.0E (“Court-Specific Rules Concerning Detailed Descriptive Lists), • 30.2 (“Court-Specific Rules Concerning Partition of Community Property”), • 31.3 (“Court-Specific Rules Concerning Collaborative Divorce Proceedings”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), • 34.0 (“Court-Specific Rules Concerning Hearing Officer Procedures for Domestic Violence Protective Orders”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).
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16 th JDC	St. Mary, Iberia, & St. Martin	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.2 (“Court-Specific Rules Concerning Allotment”), • 24.13 (“Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings”), • 29.4 (“Court-Specific Rules Concerning Mediation”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).
17 th JDC	Lafourche	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”) and • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”).
18 th JDC	Iberville, Pointe Coupee, & WBR	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.4 (“Court-Specific Rules Concerning Appointment of

		<p>Attorneys To Represent Absentee Defendants”),</p> <ul style="list-style-type: none"> • 24.5 (“Court-Specific Rules Concerning Extensions of Time To Plead in Family Law Proceedings”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.7B (“Court-Specific Rules Concerning Order of Business”), • 24.8A (“Court-Specific Rules Concerning Continuances in Family Law Proceedings”), • 24.12 (“Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences”), • 24.13 (“Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings”), • 28.1A (“Court-Specific Rules Concerning Allowance of Divorce by Affidavit in a La. C.C. art. 103 Divorce”), • 28.2A (“Courts That Require the Filing of a La. C.C.P. art. 969(B) Divorce Checklist”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), • 29.4 (“Court-Specific Rules Concerning Mediation”), • 30.2 (“Court-Specific Rules Concerning Partition of Community Property”), • 31.2 (“Court-Specific Rules Concerning Enrollment and Withdrawal of Counsel”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), and • 34.0 (“Court-Specific Rules Concerning Hearing Officer Procedures for Domestic Violence Protective Orders”).
EBR Family Court	East Baton Rouge	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”),

		<ul style="list-style-type: none"> • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.2 (“Court-Specific Rules Concerning Allotment”), • 24.4 (“Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.7B (“Court-Specific Rules Concerning Order of Business”), • 25.0 (“Court-Specific Rules on Preparation and Submission of Judgments in Family Law Proceedings”), • 27.0B (“Courts That Require the Filing of a La. C.C. art. 102 Checklist”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), • 24.9 (“Court-Specific Rules Concerning Discovery”), • 25.1 (“Court-Specific Rules on Income Assignment Orders”), • 28.1C (“Courts That Require the Filing of a La. C.C.P. art. 1702(E) Divorce Checklist”), • 28.2A (“Courts That Require the Filing of a La. C.C.P. art. 969(B) Divorce Checklist”), • 30.0E (“Court-Specific Rules Concerning Detailed Descriptive Lists), • 30.2 (“Court-Specific Rules Concerning Partition of Community Property”), and • 31.2 (“Court-Specific Rules Concerning Enrollment and Withdrawal of Counsel”).
20 th JDC	East/West Feliciana	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 30.0E (“Court-Specific Rules Concerning Detailed Descriptive Lists) and • 30.2 (“Court-Specific Rules Concerning Partition of Community Property”).
21 st JDC	Livingston, St. Helena, & Tangipahoa	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law

		<p>Proceedings”),</p> <ul style="list-style-type: none"> • 24.2 (“Court-Specific Rules Concerning Allotment”), • 24.11 (“Court-Specific Rules Authorizing Hearings in Chambers in Family Law Proceedings Pursuant To La. R.S. 9:302”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).
22 nd JDC	St. Tammany & Washington	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.1 (“Court-Specific Rules Concerning Pre-Trial orders in Non-Community Property Cases”), • 24.2 (“Court-Specific Rules Concerning Allotment”), • 24.3 (“Court-Specific Rules Concerning Walk-Through of Pleadings”), • 24.4 (“Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.7B (“Court-Specific Rules Concerning Order of Business”), • 24.8A (“Court-Specific Rules Concerning Continuances in Family Law Proceedings”), • 24.10 (“Court-Specific Rules Concerning Setting of Pre-Trial Conferences”), • 24.11 (“Court-Specific Rules Authorizing Hearings in Chambers in Family Law Proceedings Pursuant To La. R.S. 9:302”), • 24.12 (“Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences”), • 24.13 (“Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings”),

		<ul style="list-style-type: none"> • 25.0 (“Court-Specific Rules on Preparation and Submission of Judgments in Family Law Proceedings”), • 25.1 (“Court-Specific Rules on Income Assignment Orders”), • 27.0B (“Courts That Require the Filing of a La. C.C. art. 102 Checklist”), • 27.0C (“Court-Specific Rules Concerning Allowance of Divorce by Affidavit in a La. C.C. art. 102 Divorce”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), • 28.1A (“Court-Specific Rules Concerning Allowance of Divorce by Affidavit in a La. C.C. art. 103 Divorce”), • 28.2A (“Courts That Require the Filing of a La. C.C.P. art. 969(B) Divorce Checklist”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), • 29.4 (“Court-Specific Rules Concerning Mediation”), • 30.0E (“Court-Specific Rules Concerning Detailed Descriptive Lists), • 30.1 (“Court-Specific Rules Concerning Appointed Special Masters and Experts”), • 30.2 (“Court-Specific Rules Concerning Partition of Community Property”), • 31.0 (“Court-Specific Rules Concerning Use of Electronic and Recording Devices”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), • 33.0 (“Court-Specific Rules Concerning Objections To Recommendations of Hearing Officers in Title IV-D Matters”), • 34.0 (“Court-Specific Rules Concerning Hearing Officer Procedures for Domestic Violence Protective Orders”), • 35.1 (“Court-Specific Rules Concerning Failure To Timely Comply with an Appendix 23.0D Hearing Officer Conference and Information Order and/or an Appendix 23.0B Family Law Affidavit”), • 35.5 (“Court-Specific Rules Concerning Objections to hearing Officer Recommendations and Judgments of Domestic Commissioner”), and • 35.8 (“Court Specific Rules Concerning Adoption of Hearing Officer’s Recommendation As Temporary Order After
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		Objection”).
23 rd JDC	Ascension, Assumption, & St. James	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.2 (“Court-Specific Rules Concerning Allotment”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).
24 th JDC	Jefferson	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 23.1 (“Court-Specific Rules Concerning Pre-Trial orders in Non-Community Property Cases”), • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.1 (“Prior or Multiple Filing of Proceedings”), • 24.2 (“Court-Specific Rules Concerning Allotment”), • 24.3 (“Court-Specific Rules Concerning Walk-Through of Pleadings”), • 24.4 (“Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants”), • 24.5 (“Court-Specific Rules Concerning Extensions of Time To Plead in Family Law Proceedings”), • 24.7B (“Court-Specific Rules Concerning Order of Business”), • 24.8A (“Court-Specific Rules Concerning Continuances in Family Law Proceedings”), • 24.9 (“Court-Specific Rules Concerning Discovery”), • 24.10 (“Court-Specific Rules Concerning Setting of Pre-Trial

		<p>Conferences”),</p> <ul style="list-style-type: none"> • 24.11 (“Court-Specific Rules Authorizing Hearings in Chambers in Family Law Proceedings Pursuant To La. R.S. 9:302”), • 25.0 (“Court-Specific Rules on Preparation and Submission of Judgments in Family Law Proceedings”), • 25.1 (“Court-Specific Rules on Income Assignment Orders”), • 27.0B (“Courts That Require the Filing of a La. C.C. art. 102 Checklist”), • 27.0C (“Court-Specific Rules Concerning Allowance of Divorce by Affidavit in a La. C.C. art. 102 Divorce”), • 27.1C (“Courts That Require Use of a Specific Waiver of Service and Citation Form in a La. C.C. art. 102 Divorce”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), • 28.2A (“Courts That Require the Filing of a La. C.C.P. art. 969(B) Divorce Checklist”), • 28.3B (“Courts That Require Use of a Specific Waiver of Service and Citation Form in a La. C.C. art. 103 Divorce”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), • 29.1 (“Court-Specific Rules Concerning Temporary Custody Orders”), • 29.4 (“Court-Specific Rules Concerning Mediation”), • 29.6 (“Court-Specific Rules Concerning Modification of an Existing Custody or Visitation Order”), • 30.0E (“Court-Specific Rules Concerning Detailed Descriptive Lists), • 30.1 (“Court-Specific Rules Concerning Appointed Special Masters and Experts”), • 30.2 (“Court-Specific Rules Concerning Partition of Community Property”), • 31.3 (“Court-Specific Rules Concerning Collaborative Divorce Proceedings”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), • 33.0 (“Court-Specific Rules Concerning Objections To Recommendations of Hearing Officers in Title IV-D Matters”), • 34.0 (“Court-Specific Rules Concerning Hearing Officer Procedures for Domestic Violence Protective Orders”),
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		<ul style="list-style-type: none"> • 34.2 (“Court-Specific Rules Concerning Objections to Rulings of Hearing Officer or Domestic Commissioner; Time for Filing”), • 35.1 (“Court-Specific Rules Concerning Failure To Timely Comply with an Appendix 23.0D Hearing Officer Conference and Information Order and/or an Appendix 23.0B Family Law Affidavit”), • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”), and • 35.8 (“Court Specific Rules Concerning Adoption of Hearing Officer’s Recommendation As Temporary Order After Objection”).
25 th JDC	Plaquemines	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 24.4 (“Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants”) and • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”).
26 th JDC	Bossier & Webster	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.6 (“Court-Specific Rules Restricting the Preparation of Answers or Other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), and • 31.2 (“Court-Specific Rules Concerning Enrollment and Withdrawal of Counsel”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic

		Commissioner”).
27 th JDC	St. Landry	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.2 (“Court-Specific Rules Concerning Allotment”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.9 (“Court-Specific Rules Concerning Discovery”), • 24.13 (“Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings”), • 24.14 (“Court-Specific Rules Concerning Proof of Uncontested Paternity by Affidavit Pursuant to La. R.S. 9:572”), • 29.3 (“Court-Specific Rules Concerning Parenting Classes”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), • 34.0 (“Court-Specific Rules Concerning Hearing Officer Procedures for Domestic Violence Protective Orders”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).
28 th JDC	LaSalle	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.4 (“Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”),

		<ul style="list-style-type: none"> • 24.7B (“Court-Specific Rules Concerning Order of Business”), • 24.10 (“Court-Specific Rules Concerning Setting of Pre-Trial Conferences”), • 25.1 (“Court-Specific Rules on Income Assignment Orders”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), and • 29.4 (“Court-Specific Rules Concerning Mediation”).
29 th JDC	St. Charles	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.2 (“Court-Specific Rules Concerning Allotment”), and • 29.3 (“Court-Specific Rules Concerning Parenting Classes”).
30 th JDC	Vernon	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”) and • 24.2 (“Court-Specific Rules Concerning Allotment”).
31 st JDC	Jefferson Davis	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.6 (“Court-Specific Rules Restricting the Preparation of Answers or Other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), and • 29.3 (“Court-Specific Rules Concerning Parenting Classes”).
32 nd JDC	Terrebonne	<p>Rules may now be in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing

		<p>Orders”),</p> <ul style="list-style-type: none"> • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).
33 rd JDC	Allen	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.4 (“Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.8A (“Court-Specific Rules Concerning Continuances in Family Law Proceedings”), • 25.0 (“Court-Specific Rules on Preparation and Submission of Judgments in Family Law Proceedings”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), and • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”).
34 th JDC	St. Bernard	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”) and • 23.0F (“Court-Specific Rules Concerning Arrearages”).
35 th JDC	Grant	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or

		<p>Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”),</p> <ul style="list-style-type: none"> • 24.6 (“Court-Specific Rules Restricting the Preparation of Answers or other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), and • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).
36 th JDC	Beauregard	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), 24.6 (“Court-Specific Rules Restricting the Preparation of Answers or other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer”), • 24.4 (“Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), • 24.12 (“Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences”), • 27.0B (“Courts That Require the Filing of a La. C.C. art. 102 Checklist”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), • 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”), and • 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).

37 th JDC	Caldwell	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.6 (“Court-Specific Rules Restricting the Preparation of Answers or other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer”), and • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”).
38 th JDC	Cameron	No Title IV rules.
39 th JDC	Red River	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 23.0F (“Court-Specific Rules Concerning Arrearages”), • 24.0 (“Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings”), • 24.7A (“Court-Specific Rules Concerning Scheduling Hearings and Trials”), and • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”).
40 th JDC	St. John the Baptist	<p>Rules may now be found in Appendices:</p> <ul style="list-style-type: none"> • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”) and • 24.10 (“Court-Specific Rules Concerning Setting of Pre-Trial Conferences”).
Civil District Court	Orleans	Rules may now be found in Appendices:

		<ul style="list-style-type: none"> • 22.0 (“List of Judicial Districts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings”), • 23.0A (“Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders”), • 24.2 (“Court-Specific Rules Concerning Allotment”), • 24.4 (“Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants”), • 24.8A (“Court-Specific Rules Concerning Continuances in Family Law Proceedings”), • 24.11 (“Court-Specific Rules Authorizing Hearings in Chambers in Family Law Proceedings Pursuant To La. R.S. 9:302”), • 24.12 (“Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences”), • 24.13 (“Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings”), • 24.14 (“Court-Specific Rules Concerning Proof of Uncontested Paternity by Affidavit Pursuant to La. R.S. 9:572”), • 25.0 (“Court-Specific Rules on Preparation and Submission of Judgments in Family Law Proceedings”), • 27.0B (“Courts That Require the Filing of a La. C.C. art. 102 Checklist”), • 28.0 (“Court-Specific Rules Confirmation of Preliminary Defaults”), • 28.1C (“Courts That Require the Filing of a La. C.C.P. art. 1702(E) Divorce Checklist”), • 28.2A (“Courts That Require the Filing of a La. C.C.P. art. 969(B) Divorce Checklist”), • 29.0C (“Court-Specific Rules Concerning Ex Parte Custody Orders”), and • 29.4 (“Court-Specific Rules Concerning Mediation”).
42 nd JDC	DeSoto	Rules may now be in Appendix 32.0B (“Court-Specific Rules on Hearing Officers and Domestic Commissioners”).

**APPENDIX 22.0: COURTS THAT HAVE CREATED SPECIALIZED DIVISIONS
OR SECTIONS THAT HANDLE FAMILY LAW PROCEEDINGS**

COURT	PARISHES	SPECIALIZED DIVISIONS OR SECTIONS HANDLING FAMILY LAW PROCEEDINGS
1 st J.D.C.	Caddo Parish	<p>The Family Law Division will handle all aspects of all family law matters, including, but not limited to, family law rules, family law partitions, paternity cases, disavowals, and trials from filing to the end of the case. In addition the Family Law Division will handle all aspects of all civil mental commitment matters from filing to the end of the case.</p> <p>There shall be three sections of the Family Law Division to be designated as Sections D, E, and F. All cases shall be assigned to one of these sections in the manner set forth in these rules.</p> <p>Judges presiding in the Civil or Family Law Division will continue to handle probation revocation hearings, sentences, and multiple offender matters in criminal cases in which the judge was presiding at the time of conviction and/or sentence.</p>
4 th J.D.C.	Morehouse and Ouachita Parishes	<p>Family law matters are heard in Civil Sections 1 through 5.</p> <p>Family Docket Cases shall consist of (a) all divorces and all issues which are ancillary to a divorce proceeding; (b) all non-marital cases involving child-related issues (paternity, custody, visitation and support); (c) all family or domestic protective order issues; (d) all issues relating to community property and matrimonial regimes; and (e) enforcement of orders in any of these matters, including contempt of court (except that contempt of court alleging violation of a protective order shall be heard by the assigned judge).</p>
9 th J.D.C.	Rapides Parish	<p>Family law matters are heard in Divisions B, C, F, and G.</p>
14 th J.D.C.	Calcasieu Parish	<p>A. There shall be Family and Juvenile dockets in the Fourteenth Judicial District, and these dockets shall be allotted as follows:</p> <p>Effective January 1, 2013, pursuant to La. R.S. 13:587, all new family cases will be assigned to Divisions “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H” and “I”. All new juvenile matters will be assigned to Divisions “C” and “I” and all</p>

		<p>juvenile matters presently assigned to Division “D” will be reassigned to Divisions “C” and “T”. Division “D” will retain all family matters presently assigned to Division “D”.</p> <p>Effective January 1, 2015, pursuant to La. R.S. 13:587, Division “A” will be assigned to Family and Juvenile Court. All new family cases will be assigned to Divisions “A”, “C”, and “T”. All new juvenile matters will be assigned to Divisions “A” and “T” and all juvenile matters presently assigned to Division “C” will be assigned to Division “A”. All domestic matters presently assigned to Divisions “B”, “D”, “E”, “F”, “G” and “H” will be assigned to Division “A”.</p> <p>B. Matters heard on the Family and Juvenile Court Dockets shall be as follows:</p> <p>(1) Juvenile matters governed by the Louisiana Children’s Code;</p> <p>(2) All proceedings for the adoption of minors and for the relinquishment or termination of parental rights;</p> <p>(3) Actions of separation, divorce, and annulment together with all related incidental matters as defined by La. C.C. art. 105 and the community property partitions associated with the dissolution of said marriages.</p> <p>(4) All child-related issues such as the establishment or disavowal of the paternity of children, filiation, custody, visitation and support, or any other such matters as may be designated by the District Judges; and</p> <p>(5) All Protective Orders filed in accordance with La. R.S. 46:2131, et seq., and R.S. 46:2151 et seq.</p> <p>C. These rules shall apply to family and juvenile proceedings in all divisions of the 14th Judicial District Court.</p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p>Family law matters are currently heard in Divisions H and M.</p> <p>Matters heard on the Family Docket shall include:</p> <p>(a) Suits for annulment, divorce and separation where there are minor children born of, adopted or legitimated by the marriage together with all related incidental matters as defined by La. C.C. Art. 105 and the community property partitions associated with the</p>

		<p>dissolution of said marriages.</p> <p>(b) All child-related issues such as the establishment or disavowal of the paternity of children, filiation, custody, visitation, and support in non-marital cases, name changes for minor children, emancipations, or any other such matters as may be designated by the District Judges.</p> <p>(c) All protective orders filed in accordance with R.S. 46:2131, et seq., and R.S. 46:2151 et seq., unless an annulment, separation or divorce action is pending and is a non-Family Docket matter.</p>
16 th J.D.C.	St. Mary, Iberia, and St. Martin Parishes	All sections hear family law matters.
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">FAMILY DOCKET CASES DEFINED</p> <p>Family Docket Cases shall consist of (a) all issues which are ancillary to a divorce proceeding, (b) all child-related issues (paternity, custody, visitation and support) and in non-marital cases, (c) all protective order issues, and (d) enforcement of orders in any of these matters, including the issue of contempt of court.</p> <p style="text-align: center;">SANCTIONS</p> <p>Failure by an attorney or unrepresented litigant to comply with all procedures set out herein, or any other law or procedure, including the provisions of LA. R.S. 9:2801 may result in the rejection by the Court of nonconforming pleadings, and in appropriate cases, sanctions.</p> <p style="text-align: center;">WAIVER OF RULES</p> <p>The Judge may, in exceptional circumstances and particular cases, deviate from these rules in the interest of justice and proper administration of the Court.</p>
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	<p>La. R.S. 13:1401 establishes the East Baton Rouge Parish Family Court.</p> <p style="text-align: center;">ORGANIZATION OF THE COURT</p> <p>1. The Court shall be composed of as many divisions as there are judges authorized by law for The Family Court in and for the Parish of East Baton Rouge. Presently, the Court shall be composed of four divisions designated as “A”, “B”, “C”, and “D”.</p>

		<p>2. Whenever circumstances may require and by agreement of the judges, a judge presiding over one division of the Court may also preside over another division, exchange judicial duties or assist another judge with his judicial duties, or transfer a case from one division to another.</p> <p>3. The judge who has begun a trial on the merits shall complete the said trial and shall sign any judgment which he has previously rendered. A successor judge may complete his predecessor's trials and sign judgments the predecessor judge previously rendered.</p> <p style="text-align: center;">SCHEDULE OF COURT.</p> <p>1. The Court will adjourn at 4:30 p.m. each afternoon; however, the Court may in its discretion remain in session. If a case is not completed or if cases remain on the docket untried, such cases shall be carried over to the next available day.</p> <p>2. Court office hours are from 8:30 a.m. to 4:30 p.m. Court offices are generally closed from 12:00 p.m. to 1:00 p.m. daily.</p> <p style="text-align: center;">DUTY JUDGE.</p> <p>1. The duty schedule shall be determined by the Court sitting en banc.</p> <p>2. The duty judge shall be available each day of scheduled duty from 2:00 p.m. to 4:00 p.m. to sign all orders. Duty matters may be handled if the duty judge is available during other hours.</p> <p>3. All duty matters requiring signature shall be forwarded to the judicial assistant for the duty judge, unless otherwise provided.</p> <p>4. Duty matters, other than routine ones, which require review of court records, conferences with the duty judge, etc., must be presented to the duty judge by 3:30 p.m. so that the matter may be completed by the end of duty at 4:00 p.m.</p>
21 st J.D.C.	Livingston, Tangipahoa, and St. Helena Parishes	There shall be a Family Docket in the Twenty-First Judicial District. Divisions G and H are designated as Family Court divisions through December 31, 2014, and thereafter, Divisions J and K are designated as the Family Court divisions.

		<p>Matters heard on the Family Docket shall include all actions arising under Title V and Tile VII of Book I and Title VI of Book II of the Louisiana Civil Code, adoptions arising under the Louisiana Children’s Code and The Children’s Code, actions involving protection from family violence pursuant to R.S. 46:2131 et seq., and actions for enforcement, collection of support and paternity pursuant to R.S. 46:236.5. All family docket matters as above set forth filed subsequent to December 31, 2013, shall be randomly allotted on an equal basis between the two Family Court divisions. All family docket matters heretofore allotted to Divisions “A” through “F” of this Court shall, upon the filing of any new pleading in such case, be reallocated on a random, equal basis between the two Family Court divisions.</p>
<p>22nd J.D.C.</p>	<p>St. Tammany and Washington Parishes</p>	<p>La. R.S. 13:621.22 establishes the Twenty-Second Judicial District Family Court.</p> <p>There shall be a Family Court Docket in the 22nd Judicial District and that docket shall be allotted to Divisions K and L.</p> <p>Matters heard on the Family Docket shall include:</p> <ol style="list-style-type: none"> 1. Annulment of marriage, divorce and separation and related proceedings and incidental matters, including those listed in La. C.C. Art. 105. 2. Property partitions and related proceedings and incidental matters that are associated with the dissolution of marriages. 3. Child-related issues including, but not limited to, issues related to the paternity of children; adoption; filiation; custody, visitation, and support in non-marital cases; name changes for minor children and emancipations. 4. Domestic violence protective orders. 5. Separation of community property regimes. 6. Enforcement of any orders issued in connection with the matters listed in sections (1) – (5) above, including proceedings for contempt of court. 7. Such other matters as may be designated by en banc order of the 22nd Judicial District Court Judges.

		<p>8. The Rules and Appendices in Titles I and II of the Louisiana District Court Rules shall apply to all family court proceedings in the absence of a specific rule contained in the Title IV Rules for Family Law Proceedings in Louisiana District Courts and the related Appendices for the 22nd Judicial District Court.</p>
24 th J.D.C.	Jefferson Parish	<p>A. Domestic cases in the 24th Judicial District Court shall be randomly allotted to all the divisions in the same manner as civil cases and shall be designated as domestic.</p> <p>B. Domestic Cases Defined</p> <p>Domestic cases shall consist of:</p> <ol style="list-style-type: none"> 1. All domestic actions which involve separation, divorce or annulment proceedings; and all issues which are ancillary thereto; 2. All child related actions in marital and non-marital domestic cases and all issues ancillary thereto, except as provided herein; 3. All civil domestic protective orders issued including actions filed pursuant to The Domestic Abuse Assistance Act, The Post-Separation Family Violence Relief Act and Uniform Abuse Prevention Orders; 4. All actions filed seeking to have a foreign judgment or order, or judgment or order of any other judicial district of this state, recognized and enforced which are described within these rules; 5. Enforcement of orders in any of these matters, including the issue of contempt of court.
Civil District Court	Orleans Parish	<p>1. In accordance with Act 460 of 1979, there is hereby designated a Domestic Relations Section of this court, composed of three judges or divisions. One of the said judges shall preside over Domestic Relations Section # 1, and the other over Domestic Relations Section # 2 and the third over Domestic Relations Section #3.</p> <p>Each domestic relations judge may adopt additional rules regulating practice before such judge.</p> <p>2. Domestic relations cases shall consist of all domestic matters, including suits for divorce or annulment, alimony, child support, custody of children, partition of</p>

		<p>community property, adoption, and any other similar matters which the court en banc may designate as domestic relation matters or cases.</p> <p>3. La. R.S. 13:1138 created two dedicated, limited jurisdiction seats in Orleans Parish Civil District Court: The first two judgeships becoming vacant by death, resignation, retirement, or removal on or after August 15, 2011, shall be abolished and two new judgeships shall be created and limited, pursuant to the provisions of Article V, Section 15(A) of the Constitution of Louisiana, to family matters as provided by law, including the following domestic relations matters:</p> <ul style="list-style-type: none">(a) Actions for divorce, annulment of marriage, establishment or disavowal of paternity of children, alimony, support of children, custody by habeas corpus or otherwise, visitation rights, and all matters incidental to any of the foregoing proceedings.(b) The issuance, modification, or dissolution of conservatory writs for the protection of community property.(c) The issuance of writs of fieri facias and garnishment under judgments for alimony, child support, and attorney fees, partition proceedings following divorce judgments, and suits for separation of property. <p>For the purposes of this Subsection, family or domestic relations matters shall not include tutorship proceedings.</p>
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APPENDIX 23.0A: COURTS REQUIRING THE PRE-HEARING FILING, EXCHANGE, OR SUBMISSION OF A FAMILY LAW AFFIDAVIT AND/OR JOINT CUSTODY IMPLEMENTATION PLAN; COURTS THAT MAY ISSUE PRE-HEARING ORDERS

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
1 st J.D.C.	Caddo Parish	<p align="center">NOTICE AND EXCHANGE OF INFORMATION</p> <p>1. Immediately after being retained or agreeing to represent the defendant, counsel shall contact counsel for plaintiff for the purpose of: (a) giving notice of intent to represent the defendant; (b) exchanging all necessary financial records and other information; scheduling discovery, if any; (d) entering into any stipulations that will streamline the trial, and (e) discussing possible settlement alternatives.</p> <p>2. When appropriate, at least forty-eight (48) hours prior to the time fixed for the trial, counsel shall exchange an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed.</p> <p>3. If all relevant documents have not been exchanged in a timely fashion, the judge may remove the case from the docket or take other steps to secure compliance with this Rule,</p>	<p>If joint custody is an issue, counsel shall exchange joint custody plans similar to those in Appendix 29.2A or Appendix 29.2B.</p>	

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>including but not limited to a citation for contempt.</p> <p style="text-align: center;">SPOUSAL AND CHILD SUPPORT</p> <ol style="list-style-type: none"> At least forty-eight (48) hours prior to the time fixed for the trial of a rule or petition involving the award, increase, decrease, or termination of alimony and/or child support, each party shall file in the Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed. <p>Immediately thereafter, each party shall provide opposing counsel and/or party and the judge with a stamped copy of the affidavit.</p> <ol style="list-style-type: none"> The notice by the clerk of court to a defendant in rule respecting alimony and/or child support shall notify the party of the necessity of filing this affidavit and that his failure timely to do so will subject him to such appropriate sanction as the court may choose to impose. A copy of this Rule served with the rule or petition shall be sufficient notice. Failure to comply with this Rule may be a basis for dismissal or 		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		continuance of the rule or petition.		
2 nd J.D.C.	Bienville, Claiborne, and Jackson Parishes	<p>All rules and petitions involving the award, increase or decrease of spousal support and/or child support shall be accompanied by an original and three copies of an affidavit similar to Section VIII of the Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed.</p> <p>The defendant shall file a similar original affidavit and three copies at least 24 hours prior to the time fixed for the trial thereof, unless excused by law.</p> <p>All rules, petitions or pleadings seeking the award, increase or decrease of child support, shall be accompanied by an original and three copies of verified income statement as required by LSA R.S. 9:315.2 showing gross income, adjusted gross income, together with documentation of current and past earnings. The defendant shall file an original and three copies of such a verified income statement and such documentation at least 24 hours before the time fixed for the trial thereof, unless excused by law. The documentation shall include a copy of each party’s most recent federal tax return and</p>		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		pay stubs for at least three (3) months.		
3 rd J.D.C.	Lincoln and Union Parishes	<p>All rules and petitions involving the award, increase or decrease of spousal support and/or child support shall be accompanied by an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed (<i>see</i> Section VIII of affidavit). This affidavit shall be served upon the opposing party.</p> <p>At least twenty-four hours prior to the time fixed for the trial of a rule, or with the answer to a petition, the defendant shall file in the record and with opposing counsel a sworn counter-affidavit with all pertinent portions completed (<i>see</i> Section VIII of affidavit).</p> <p>The citation by the Clerk of Court to a defendant respecting alimony and/or child support shall notify the party specifically of the necessity of filing this affidavit pursuant to this rule and further, that his failure timely to do so will subject him to such appropriate sanction as the court may choose to impose. A copy of this rule served with the rule or petition shall be sufficient notice. Failure to comply with this rule shall be basis for dismissal or continuance</p>	<p>In proceedings involving any dispute as to custody, it shall be required that all parties specifically comply with the provisions of C.C. art. 131 (formerly C.C. art. 146), noting particularly that there shall be submitted to the court a custody implementation plan similar to the plans provided in Appendix 29.2A (“Joint Custody Plan (With Domiciliary Parent)”) or 29.2B (“Joint Custody Plan (Without Domiciliary Parent)”) prior to the issuance of a joint custody decree.</p>	

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		of the rule or petition, or, in the case of the defendant in rule, prohibition from presentment of argument or evidence.		
4 th J.D.C.	Morehouse and Ouachita Parishes			In all spousal and child support proceedings, counsel and/or the parties shall submit all documentation ordered by the Hearing Officer Conference Order and shall file an Appendix 23.0B Family Law Affidavit with all pertinent portions completed.
5 th J.D.C.	Franklin, Richland, and West Carroll Parishes	<p>A. Spousal Support</p> <p>All pleadings for spousal support shall be accompanied by an affidavit similar to an Appendix 23.0B Family Law Affidavit with all pertinent portions completed by the party filing said rule or petition. An attested copy of this affidavit shall be served upon the defendant.</p> <p>Prior to the time fixed for trial or hearing officer conference (if scheduled), or with the answer filed by the defendant, whichever is earlier, the defendant shall file in the record a sworn counter-affidavit with opposing counsel.</p> <p>B. Child Support.</p>		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>In all pleadings for child support, increases or decreases thereof, each party shall file a verified income statement as required by R.S. 9:315.2 showing gross income and adjusted gross income. The verified income statements must be filed at least five (5) days prior to the time of the trial, or Hearing Officer Conference, and a copy of the statement shall be provided to the other party. Supporting documentation, including each party’s most recent federal tax return, shall be provided to the other party, at that time, but shall not be filed.</p> <p>C. Contempt Rules.</p> <p>All pleadings to make executory spousal support or child support judgments or in which a judgment of contempt is sought for failure to pay spousal support or child support shall be accompanied by a sworn affidavit similar to the Appendix 23.0B <i>Family Law Affidavit</i>, executed by the party filing the pleadings, which shall be served upon the opposing party, setting forth the following:</p> <ol style="list-style-type: none"> 1) A computation of the arrearage that has accrued under the judgment, and 2) An itemized list of all credits to which the 		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>defendant in rule is entitled during the period of the arrearage.</p> <p>D. Notice by Clerk</p> <p>A copy of this court rule shall be provided the clerk by the attorney for mover and said copy served with the rule or petition shall be sufficient notice. Failure to comply with this rule may be a basis for dismissal or continuance of the rule or petition, or may cause the Court to disallow the introduction of evidence or argument by the party failing to comply.</p>		
6 th J.D.C.	East Carroll, Madison, and Tensas Parishes	<p>A. All pleadings for spousal support shall be accompanied by an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed by the party filing said rule or petition. An attested copy of this affidavit shall be served upon the defendant.</p> <p>Prior to the time fixed for trial of a rule, or with the answer filed by the defendant, whichever is earlier, the defendant shall file a sworn counter-affidavit in the record and with opposing counsel.</p> <p>B. In all pleadings for child support, increases</p>		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>or decreases thereof, each party shall file a verified income statement as required by R.S. 9:315.2 showing gross income and adjusted gross income, together with documentation of current and past earnings. The documentation shall include a copy of each party’s most recent federal tax return. The verified income statements must be filed at least seven (7) days prior to the time of the rule or trial. A copy of the statement and documentation shall be provided to the other party.</p> <p>C. All pleadings to make executory spousal support or child support judgments or in which a judgment of contempt is sought for failure to pay spousal support or child support shall be accompanied by a sworn Appendix 23.0B Family Law Affidavit (see Section V), executed by the party filing the pleading, which shall be served upon the opposing party, setting forth the following:</p> <ol style="list-style-type: none"> 1. A computation of the arrearage that has accrued under the judgment, and 2. An itemized list of all credits to which the defendant in rule is entitled during the period of the arrearage. 		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		D. The notice by the clerk of court to a defendant in rule respecting spousal support and/or child support shall notify the party of the necessity of filing the applicable affidavit and/or documentation and that his failure timely to do so will subject him to such appropriate sanction as the court may choose to impose. A copy of this court rule shall be provided the clerk by the attorney for mover and said copy served with the rule or petition shall be sufficient notice. Failure to comply with this rule may be a basis for dismissal or continuance of the rule or petition, or may cause the Court to disallow the introduction of evidence or argument by the party failing to comply.		
7 th J.D.C.	Catahoula and Concordia Parishes			
8 th J.D.C.	Winn Parish	All pleadings for spousal support shall be accompanied by an affidavit similar to an Appendix 23.0B Family Law Affidavit with all pertinent portions completed by the party filing said rule or petition. An attested copy of this affidavit shall be served upon the defendant.		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		Prior to the time fixed for trial of a rule, or with the answer filed by the defendant, whichever is earlier, the defendant shall file a sworn counter-affidavit in the record and with opposing counsel.		
9 th J.D.C.	Rapides Parish	In all rules for spousal support, all parties shall prepare an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed. These affidavits shall be exchanged by opposing counsel before 12:00 noon on the Wednesday preceding the Monday the rule is set for hearing. Any party failing to abide by these rules shall be subject to sanctions by the court.		
10 th J.D.C.	Natchitoches Parish	<p>All pleadings for spousal support and child support, increases or decreases thereof, will be accompanied by a sworn affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i>, with all pertinent portions completed, that is to be filed by the party filing said rule or petition, an attested copy of which shall be served upon the defendant.</p> <p>In all rules for spousal support, all parties shall make an itemized list of income expenses (<i>see</i> Section VIII of Appendix 23.0B <i>Family Law</i></p>		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p><i>Affidavit</i>) that must be sworn to by the parties and shall be exchanged by opposing counsel before 12:00 noon on Wednesday preceding the Monday the rule is set for hearing.</p> <p>In all rules for child support the parties shall complete the worksheet set forth in R.S. 9:315.15. This worksheet shall be signed by both parties and their attorneys and shall be filed in the record by noon on the Wednesday preceding the hearing on Monday. Each party shall attach to the worksheet the verified income statement and documentation required by R.S. 9:315.2A.</p> <p style="text-align: center;">PROPERTY SETTLEMENT CASES; STIPULATION</p> <p>Effective immediately, in all property settlement cases to be tried in this Court, all counsel shall file, at least 48 hours before the day of trial, one stipulation signed by the person or persons they represent and by counsel, setting forth, in detail, the following information:</p> <p>(1) An agreed list of personal and real marital property, both tangible and intangible, acquired by either or both spouses during the marriage;</p>		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>(2) An agreed list of separate property, both tangible and intangible, acquired before marriage or by gift, bequest, descent or inheritance;</p> <p>(3) All other property owned by the parties whose character marital or separate--is to be decided by the Court after receipt of proof.</p> <p>Failure to comply with this rule will result in the trial being continued until the rule is fully met.</p>		
11 th J.D.C.	Sabine Parish			
12 th J.D.C.	Avoyelles Parish			
13 th J.D.C.	Evangeline Parish	Any pleading in which a litigant seeks an award for spousal support or child support, or an increase or decrease in an award for spousal support or child support, shall be accompanied by an affidavit similar to an Appendix 23.0B Family Law Affidavit with all pertinent portions completed. At least 24 hours prior to the time fixed for hearing of the request for spousal support or child support, or an increase or		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>decrease therein, the opposing party shall file a counter-affidavit of his or her financial condition. Whenever the assets (other than income) of either party is relevant to a determination of spousal or child support, the affidavit shall also contain a list of the affiant’s assets.</p> <p>A copy of each affidavit 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.</p> <p>Both parties in a court-ordered support matter are responsible for notifying the Court in writing through the regional support enforcement Services Office of any change of address or place of employment.</p>		
14 th J.D.C.	Calcasieu Parish	In all suits in which a Hearing Officer Conference Order has been issued, each party shall prepare and exchange with the opposing counsel or party, the appropriate mandatory Appendix 23.0B <i>Family Law Affidavit</i> , with required attachments, at least three (3) days prior to the Hearing Officer Conference, exclusive of legal holidays. The original <i>Family Law Affidavit</i> shall be submitted to the Hearing	Yes. Any written stipulation or judgment involving joint custody shall include a custody plan similar to those in Appendix 29.2A or Appendix 29.2B.	Upon the filing of pleadings, the parties shall be required to attend a Hearing Officer Conference with the Hearing Officer. A <i>Hearing Officer Conference and Information Order</i> (Appendix 23.0D) shall accompany all pleadings filed. Each party shall provide documentation to the Hearing Officer and the other party in accordance with the <i>Hearing Officer Conference and Information Order</i>

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>Officer.</p> <p>The parties are to personally sign the <i>Family Law Affidavit</i>, under oath, certifying that the information contained therein and attached documents are complete, true and correct to the best of their knowledge, information and belief. The parties are to immediately update the affidavit and documents if any of the information changes prior to the hearing and shall immediately correct any errors discovered after completion.</p>		
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	Where child support or spousal support is an issue, both parties shall submit to the hearing officer an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed. Affidavits shall be submitted at least five (5) days prior to the hearing officer conference.	If joint custody is an issue, counsel shall exchange JCIPs similar to those in Appendix 29.2A or Appendix 29.2B.	
16 th J.D.C.	St. Mary, Iberia, and St. Martin Parishes	In all spousal support cases, counsel shall file a financial declaration of the client on forms to be supplied by the office of the Clerk of Court. In all child support cases, counsel shall file the worksheet required by LSA-R.S. 9:315.2. These affidavits shall serve as pre-trial memoranda if the only contested issues are the amounts of		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		spousal support and/or child support.		
17 th J.D.C.	Lafourche Parish	<p>All motions respecting the awarding, increase or decrease of spousal support and/or child support shall be accompanied by an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed by the party filing said rule and served upon the defendant-in-rule (<i>see</i> Section VIII of Appendix 23.0B <i>Family Law Affidavit</i>).</p> <p>Not less than twenty-four (24) hours prior to the time fixed for the trial of the rule, the defendant-in-rule shall file in the record and with opposing counsel a sworn counter-affidavit.</p> <p>Except in domestic relation matters, a memorandum of authorities in support of any contradictory rule, motion, order and/or exception shall be filed with the Clerk at the time of its filing. Opposing counsel shall file a memorandum with the presiding Judge and submit a copy thereof to other counsel not less than five (5) days before the scheduled hearing.</p>	Whenever any party requests joint custody, each party shall, not later than twenty four (24) hours prior to the trial of the issue, file in the court record and submit a copy to the presiding judge of the appropriate division, a custody plan similar to those in Appendix 29.2A or Appendix 29.2B.	
Family Court for the Parish of East	East Baton Rouge Parish	<p>CHILD SUPPORT</p> <p>1. The fixing of child support shall be in</p>		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
Baton Rouge		<p>accordance with Louisiana Revised Statutes §§ 9:315, et seq.</p> <p>2. The parties are to exchange proof of income, child care costs, health insurance premiums, extraordinary medical expenses, other extraordinary expenses, private school tuition, and any other information relevant to the determination of child support prior to the scheduled court hearing. Proof of income includes pay check stubs or similar employer statements of income, and the past two years’ business and personal tax returns including all attachments. Both sides are to bring proposed child support obligation worksheets to the scheduled court hearing. <i>See Appendix 23.0B Family Law Affidavit.</i></p> <p>3. An obligation worksheet shall be attached to all judgments setting or modifying child support, or alternatively, the gross income of the parties and other relevant numbers used to calculate the support shall be included in the judgment. The judgment shall also state if the order is a deviation from the statutory child support guidelines.</p> <p style="text-align: center;">SPOUSAL SUPPORT</p>		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		In a case where a party seeks an award of spousal support, both sides shall exchange income and expense affidavits or income information no later than twenty-four hours prior to the scheduled hearing date. Failure to comply with this rule may result in sanctions provided by law, dismissal, continuances, or other appropriate relief. <i>See</i> Section VIII of Appendix 23.0B <i>Family Law Affidavit</i> .		
20 th J.D.C.	East Feliciana and West Feliciana Parishes			
21 st J.D.C.	Livingston, St. Helena, and Tangipahoa Parishes			
22 nd J.D.C.	St. Tammany and Washington Parishes	The <i>Family Law Affidavit</i> (see Appendix 23.0B) must be exchanged between the parties, along with all required documentation, at least five business days prior to the Hearing Officer Conference. <i>The original Family Law Affidavit and required documentation must be presented to the Hearing Officer at the start of the Hearing Officer Conference; do not file the</i>		<ol style="list-style-type: none"> 1. All parties shall be provided appropriate notice of the <i>Hearing Officer Conference and Information Order</i> (see Appendix 23.0D of Louisiana District Court Rules for form). 2. All parties shall provide documentation to the opposing party in accordance with the <i>Hearing Officer Conference and Information</i>

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p><i>Family Court Affidavit and required documentation into the court record prior to the HOC.</i></p>		<p><i>Order. See Appendix 23.0D.</i></p> <p>3. The hearing officer conference will be scheduled expeditiously as the court calendar allows. All parties shall comply with the <i>Hearing Officer Conference and Information Order</i>.</p> <p>4. The original Appendix 23.0B <i>Family Law Affidavit</i> and required documentation shall be provided to the Hearing Officer at the start of the Hearing Officer Conference and shall not be filed with the Clerk of Court prior to the Hearing Officer Conference.</p> <p>5. The parties are to personally sign the Appendix 23.0B <i>Family Law Affidavit</i>, under oath, certifying that the information contained therein and the attached documents are complete, true and correct to the best of their knowledge, information and belief. The parties are to immediately amend the affidavit and provide new documentation, if any of the information changes contained in the affidavit, prior to the hearing, and shall immediately correct any errors discovered after completion. Any amended <i>Family Law Affidavit</i> is to be provided to the opposing party and also a copy</p>

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
				provided to the Hearing Officer at any subsequent conference.
23 rd J.D.C.	Ascension, Assumption, and St. James Parishes			
24 th J.D.C.	Jefferson Parish		<p>A. In a proceeding in which joint custody is decreed or consented to, the court shall render a joint custody implementation order except for good cause shown. This order shall comply with La. R.S. 9:335. <i>See</i> the Family Law Handbook for a suggested plan.</p> <p>B. The joint custody implementation plan may include provisions for:</p> <ol style="list-style-type: none"> 1. Living arrangements for the child(ren) (based on a time allocation schedule), including transportation; 2. Financial support; 3. Visitation; 4. Holidays, birthdays and vacation visitation; 5. Relocation costs, if applicable; 	

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B <i>FAMILY LAW AFFIDAVIT</i> :	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C <i>HEARING INFORMATION ORDER</i> OR AN APPENDIX 23.0D <i>HEARING OFFICER CONFERENCE AND INFORMATION ORDER</i> :
			<ul style="list-style-type: none"> 6. Travel arrangements and expenses, if applicable; 7. Education; 8. Religious training; 9. Access to the child(ren)'s records; 10. Medical and dental care including consent for medical care and surgery, and qualified medical orders; 11. Financial responsibility for medical and dental care and/or insurance; 12. Right to access and communication between the child(ren) and parents; 13. Conflict resolution; and 14. Any other provisions which will assist in developing a plan of joint custody. <p>C. When any party seeks joint custody, each party shall, not later than five (5) days prior to the trial of the issue, file with the court and</p>	

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
			<p>submit a copy of a proposed joint custody implementation plan to the judge and the other party.</p> <p>1. In any case in which joint custody is agreed to between the parties at or before a hearing officer conference, a joint custody implementation plan shall be submitted to the domestic commissioner for signature within the delays and in the manner prescribed in the 24th J.D.C.’s Appendix 25.0.</p> <p>2. Attorneys presenting joint custody implementation plans to the court following a trial must first submit the plan to the opponent for signature within the delays and in the manner prescribed by Uniform District Court Rule 9.5.</p>	
25 th J.D.C.	Plaquemines Parish			
26 th J.D.C.	Bossier and Webster Parishes	A. At the time of trial of all rules and petitions respecting the award, increase or decrease of spousal support and child support, there shall be filed by the party seeking the award, increase or decrease, an original and three (3) copies of an affidavit similar to an Appendix 23.0B Family Law Affidavit with		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>all pertinent portions completed. <i>See</i> Section VIII Appendix 23.0B <i>Family Law Affidavit</i>.</p> <p>B. 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> <p>(a) A computation of all payments that have accrued under the judgment and are unpaid;</p> <p>(b) An itemized list of all payments received. <i>See</i> Section V of the Appendix 23.0B <i>Family Law Affidavit</i>.</p> <p>C. In all matters arising under Sections A and B of this rule, the defendant shall file a similar affidavit at the time of trial, unless excused by law, in which instance it is strongly suggested that such affidavit be filed.</p>		
27 th J.D.C.	St. Landry Parish	In all rules for child support and interim periodic spousal support, all parties shall submit	If joint custody is an issue, counsel shall exchange JCIPs similar to those in Appendix	

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed. <i>See</i> Section VIII of affidavit.</p> <p>The parties shall exchange the completed affidavits at least twenty-four hours prior to the hearing. The list shall be self-proving; however, the parties shall be subject to cross-examination on its contents and confection. In addition thereto, in all child support cases, a child support worksheet shall be prepared by each party and exchanged between the parties and presented to the court prior to the rule on the issue. Failure to comply with the provisions of this rule may result in either a dismissal of the support rule or sanctions or both.</p>	29.2A or Appendix 29.2B.	
28 th J.D.C.	LaSalle Parish	Each party to an action for the establishment or modification of spousal and/or child support shall prepare an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed. The applicant is required to prepare such affidavit(s) prior to filing the action and attach the same to the pleading. The respondent must prepare such affidavits and deliver them to the applicant no later than the working day before the date assigned for the hearing.	If an applicant seeks joint custody, then such applicant shall attach to the pleading requesting such relief a custody plan similar to an Appendix 29.2A or 29.2B JCIP. If a respondent agrees to a joint custody regime, then the respondent shall submit a proposed custody plan similar to an Appendix 29.2A or 29.2 B JCIP no later than the time set for the hearing.	

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p style="text-align: center;">CHILD SUPPORT WORKSHHETS</p> <p>Each party to an action for child support must prepare the worksheet required by La. R.S. 9:315.B. The claimant's worksheet must be attached to the pleading requesting child support. The respondent's worksheet shall be delivered to the claimant no later than the working day before the date assigned for the hearing.</p>		
29 th J.D.C.	St. Charles Parish	<p>Any pleading in which a litigant seeks an award for spousal support or child support, or an increase or decrease in an award for spousal support or child support, shall be accompanied by an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed. At least twenty-four (24) hours prior to the time fixed for hearing of the request for spousal support or child support or an increase or decrease therein, the opposing party shall file a counter-affidavit of his or her financial condition using Section VIII of the Appendix 23.0B <i>Family Law Affidavit</i>. Whenever the assets (other than income) of either party are relevant to a determination of spousal support or child support, the affidavit shall also contain a</p>		

COURT	PARISHES	I.	II.	III.
		<p>COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:</p> <p>list of affiant’s assets. Parties are to provide the worksheet for calculation of the total child support obligation at the time of the hearing.</p> <p>A copy of each affidavit 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.</p>	<p>COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:</p>	<p>COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:</p>
30 th J.D.C.	Vernon Parish	<p>Any pleading in which a litigant seeks an award for spousal support or child support, or an increase or decrease in an award for spousal support or child support, shall be accompanied by an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed (<i>see</i> Section VIII of affidavit). At least twenty-four hours prior to the time fixed for hearing of the request for spousal support or child support or an increase or decrease therein, the opposing party shall file a counter-affidavit of his or her financial condition.</p>		
31 st J.D.C.	Jefferson Davis Parish	<p>When child support is before the court, the parties shall complete the worksheet set forth in La. R.S. 9:315.14, and shall attach to the worksheet the verified income statement and documentation required by LSA R.S. 9:315.2A. This worksheet shall be signed by both parties</p>	<p>Whenever any party requests joint custody, each party shall, not later than twenty four (24) hours prior to the trial of the issue, file in the court record and submit a copy to the presiding judge a custody plan similar to those in Appendix 29.2A or Appendix 29.2B.</p>	

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>and their attorneys and shall be filed in the record.</p> <p>When custody or visitation is or appears to be an issue for decision, each party shall provide to the Court prior to the time fixed for trial of the rule a verified income statement showing gross income and adjusted gross income, together with documentation of current and past earnings. The documentation shall include a copy of each party's most recent federal tax return. Failure to provide the statement and documentation shall result in the party being assessed the maximum mediation cost per hour pursuant to the income based fee schedule.</p>		
32 nd J.D.C.	Terrebonne Parish	For rules or trials in family law proceedings in which spousal support or child support is at issue, each party shall prepare for presentation at the hearing an affidavit of income and expenses of himself or herself and any minor children of the marriage in his or her actual custody. The affidavit should be similar to an Appendix 23.0B Family Law Affidavit with all pertinent portions completed (<i>see</i> Section VIII).		
33 rd J.D.C.	Allen Parish	Rules respecting the awarding, increase or decrease of spousal support and/or child support	Yes. Whenever any party requests joint custody, each party shall, prior to the trial of the issue,	

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>shall be accompanied by an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed by the party filing said rule. This affidavit shall be served upon the defendant.</p> <p>At least twenty-four (24) hours prior to the time fixed for the trial of a rule, and no later than the scheduled rule date, the defendant-in-rule shall file in the record and deliver to opposing counsel a sworn counter-affidavit.</p>	<p>file in the court record and submit a copy to the presiding judge a proposed custody plan similar to those in Appendix 29.2A or Appendix 29.2B.</p>	
34 th J.D.C.	St. Bernard Parish	<p>Any pleading in which a litigant seeks an award for child or spousal support, or an increase or decrease in an award for child or spousal support, shall be accompanied by an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed.</p> <p>At least twenty-four hours prior to the time fixed for hearing of the request for child or spousal support or an increase or decrease therein, the opposing party shall file a counter-affidavit of his or her financial condition.</p> <p>A copy of each affidavit required by this rule shall be delivered to opposing counsel and to the judge to whom the matter is assigned when</p>		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		the original is filed in the record.		
35 th J.D.C.	Grant Parish	<p>In all rules and petitions respecting the awarding, increase, or decrease of spousal support and child support, each party submit an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed.</p> <p>These affidavits shall be exchanged by opposing counsel at least two (2) days prior to the time fixed for trial or hearing.</p>	Yes. Whenever any party requests joint custody, each party shall, not later than twenty four (24) hours prior to trial of the issue, file in the appropriate division a custody plan similar to those in Appendix 29.2A or Appendix 29.2B.	
36 th J.D.C.	Beauregard Parish		Yes. If joint custody is an issue, counsel shall exchange JCIPs between themselves as to their choice to be issued by the Court. In the event there is a consent agreement to joint custody, it shall be accompanied by a JCIP approved by all parties.	<p>1. All parties shall provide appropriate documentation to the hearing officer to include the party's last three check stubs, and the last two years income tax return. A copy shall be provided to the opposing party and the hearing officer.</p> <p>2. The hearing officer shall file in the record all documents provided at the hearing officer conference.</p>
37 th J.D.C.	Caldwell Parish	Yes. It is requested that rules respecting the awarding, increase or decrease of spousal support and/or child support be accompanied by	Yes. Whenever any party requests joint custody, each party shall, not later than twenty four (24) hours prior to the trial of the issue, file in the	

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed by the party filing said rule. This affidavit shall be served upon the defendant.</p> <p>It is further requested that at least twenty-four (24) hours prior to the time fixed for the trial of a rule, the defendant-in-rule file, in the record and with opposing counsel, a sworn counter-affidavit with all pertinent portions completed.</p>	<p>court record and submit a copy to the presiding judge a custody plan similar to those in Appendix 29.2A or Appendix 29.2B.</p>	
38 th J.D.C.	Cameron Parish			
39 th J.D.C.	Red River Parish	<p>Yes. All pleadings for spousal support and child support, increases or decreases thereof, will be accompanied by an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed. This affidavit shall be filed by the party filing said rule or petition, an attested copy of which shall be served upon the defendant.</p> <p>Prior to the time fixed for the trial of a rule, or with the answer filed by defendant, whichever is earlier, the defendant will file in the record and with opposing counsel a sworn counter-affidavit with all pertinent portions completed.</p>		

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
40 th J.D.C.	St. John the Baptist Parish	<p>Yes. Parties/counsel in family law proceedings involving support shall exchange all pertinent financial information at least forty-eight (48) hours (exclusive of weekends and holidays) prior to hearing.</p> <p>Counsel shall confer at least forty-eight (48) hours (exclusive of weekends and holidays) in advance of any contradictory hearing or trial in reference to child support, spousal support, or partition of community property for the purpose of attempting to amicably resolve the dispute scheduled for hearing.</p>		
Civil District Court	Orleans Parish	<p>Yes. All pleadings involving the award, increase, or decrease of child support (except where the State of Louisiana is providing child support enforcement services), custody/visitation, relocation of a child's residence, use of family home/community movables, or contempt of court must be accompanied by an affidavit similar to an Appendix 23.0B Family Law Affidavit with all pertinent portions completed by the party filing the rule or petition. No hearing/trial date will be provided until the Affidavit has been filed. A copy of the Affidavit shall be served upon the opposing party.</p>	<p>Yes. Whenever any party requests joint custody (including a request made in the alternative to a request for sole custody), each party shall submit to chambers five days prior to the time fixed for hearing/trial a custody plan similar to those in Appendix 29.2A or Appendix 29.2B.</p>	<p>In all proceedings involving the awards, increase, or decrease of spousal support and child support, counsel and/or the parties shall submit to chambers all documentation ordered by the Appendix 23.0C Hearing Information Order five days prior to the time fixed for hearing/trial.</p>

COURT	PARISHES	I. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF AN AFFIDAVIT SIMILAR TO THE SAMPLE APPENDIX 23.0B FAMILY LAW AFFIDAVIT:	II. COURTS REQUIRING THE FILING, EXCHANGE, AND/OR SUBMISSION OF A JOINT CUSTODY IMPLEMENTATION PLAN (“JCIP”) SIMILAR TO THE SAMPLE FORMS IN APPENDIX 29.2A AND 29.2B:	III. COURTS THAT MAY ISSUE A PRE-HEARING ORDER SIMILAR TO AN APPENDIX 23.0C HEARING INFORMATION ORDER OR AN APPENDIX 23.0D HEARING OFFICER CONFERENCE AND INFORMATION ORDER:
		<p>Five days prior to the time fixed for hearing/trial, or with any responsive pleadings filed, whichever is earlier, the defendant shall file an affidavit similar to an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed.</p> <p>Any party failing to abide by these rules may be subject to sanctions by the Court.</p>		
42 nd J.D.C.	DeSoto Parish			

APPENDIX 23.0B FAMILY LAW AFFIDAVIT

Plaintiff

JUDICIAL DISTRICT COURT

VERSUS

DOCKET NO. _____

Defendant

PARISH, LOUISIANA

FILED: _____

DEPUTY CLERK

FAMILY LAW AFFIDAVIT

YOUR INFORMATION – NOTE: The following information is to be provided unless there is an Order of Protection in effect ordering your address be confidential, or if you have executed an affidavit or pleading under oath alleging you or your child’s health, safety, or liberty would be jeopardized by disclosing identifying information. If either of the above applies, please attach the Order of Protection or affidavit. See La. R.S. 13:1821.

Full Name:

Street Address

Telephone:

City, State, Zip:

Fax:

Mailing Address (If Different)

YOUR ATTORNEY’S INFORMATION (IF YOU ARE REPRESENTED)

Full Name:

Mailing Address:

Telephone:

City, State, Zip:

Fax:

The following pages contain several sections. You shall by order of the court complete each of the sections that apply to your case. Please check the sections you have completed and attached. Please remove those sections that do not apply to your case before submission.

- I. Child Custody and Visitation Matters
 - A. Custody/Visitation by a Parent
 - B. Custody or Visitation by a Non-Parent
 - C. Relocation of a Child’s Residence more than 75 miles or out-of-state.
- II. Child Support and/or Spousal Support
 - A. Child Support
 - B. Spousal Support

- III. Use of Family Home/Community Movables
- IV. Injunctions
- V. Contempt of Court – Child or Spousal Support Matters
- VI. Contempt of Court – All Matters except Support
- VII. Motion to Compel Discovery
- VIII. Income and Expense Sheet (Required for every case involving child support, spousal support, or contempt involving support matters or monetary payments)

I. CHILD CUSTODY AND VISITATION MATTERS

This section is to be completed in all cases involving child custody and visitation unless there is an Order of Protection in effect ordering your address be confidential, or if you have executed an affidavit or pleading under oath alleging you or your child's health, safety, or liberty would be jeopardized by disclosing identifying information. If either of the above applies, please attach the Order of Protection or affidavit. See La. R.S. 13:1821.

CHILDREN IN <u>THIS</u> CASE	GENDER	CURRENT AGE	DATE OF BIRTH

Where and with whom do the children live currently?

1. List all parishes/counties and states where the children have lived in the past five (5) years

PARISH/COUNTY	STATE OR COUNTRY	WHEN CHILDREN LIVED THERE (DATES)

2. List all persons other than you with whom the children have lived in the past five (5) years

NAME	ADDRESS	RELATIONSHIP

3. Have the children ever been involved in any of these cases? If the answer is yes, please check below:
- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Divorce/Separation | <input type="checkbox"/> Paternity | <input type="checkbox"/> Juvenile Court | <input type="checkbox"/> Parental Rights Termination |
| <input type="checkbox"/> Custody/Visitation | <input type="checkbox"/> Protective Order | <input type="checkbox"/> Child Protection | <input type="checkbox"/> Adoption |
| <input type="checkbox"/> Child Support | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Abuse/Neglect | <input type="checkbox"/> Other _____ |

4. If you checked yes to #3 above, answer the following:

A. Name of Children:	
B. Type of case (custody, visitation, paternity, OCS, protective order, etc.)	
C. Court, Parish/County and State:	Docket #:
D. Is the case still open/ongoing?	
E. If it is a foreign judgment (from another state), has it been registered in accordance with La. R.S. 13:1801, et. seq.?	

If you know of any person NOT a party to this case who has physical custody or claims to have custody/visitation rights to a child listed above, please provide the following:

Name:
Address:
Telephone Number:

A. CUSTODY / VISITATION BY A PARENT

1. INFORMATION ON PARENTS

What is your relationship to the children?	Who is the children's other parent?
Were you married to the other parent at the time of the children's birth?	
If the answer to the last question is no, and you are the father, have you signed an Act of Acknowledgement?	
Are you listed on the birth certificate?	Is there a Judgment of Paternity? Please give details:
Is paternity contested?	

OTHER CASES BETWEEN THE SAME PARTIES (including Support Enforcement and Protective Orders)	Docket Number	JDC/Parish/City Court

NAMES OF YOUR OTHER CHILDREN NOT AT ISSUE IN THIS CASE	GENDER	CURRENT AGE	DATE OF BIRTH
What type of custody do you have with these children?			
Who is the primary domiciliary parent?			
What is your custody/visitation schedule with these children?			
Do you have any restrictions or conditions on your custody or visitation? If so please list, and attach copy of the judgment.			

2. INITIAL PHYSICAL CUSTODY / VISITATION DETERMINATION

This section is to be completed only if this is an initial determination of custody or visitation.

Is there a temporary custody or visitation court order in effect?	Provide details of any temporary order regarding custody and visitation, with restrictions and conditions, if any.
---	--

AREAS OF DISPUTE BEFORE THE COURT. Please check those that apply.	
<input type="checkbox"/> Type of custody (joint custody vs. sole custody)	<input type="checkbox"/> Amount of time the children are with each parent (physical custody/visitation schedule)
<input type="checkbox"/> Who should be named as "domiciliary parent?"	<input type="checkbox"/> Conditions of physical custody or visitation (restrictions, supervision)
With whom do the children presently live? How long? Why are they living with this parent?	
Who has been the children's primary caretaker? (provide details if necessary)	

What type of physical custody/visitation arrangement for the <i>other</i> parent is in the children's best interest in your opinion?
Is shared (about equal) physical custody possible? Why or why not?
If you seek sole custody, briefly state the reasons (please note that <i>joint</i> custody is presumed to be in the best interest of the children and the party seeking <i>sole</i> custody has the burden of overcoming the presumption in favor of joint custody):
If you have asked, <i>in pleadings already filed with the court</i> , that the other parent's physical custody/visitation privileges should be supervised or should have special conditions or restrictions, please explain the factual basis for the request.

Do you claim that the other parent has physically or sexually abused you or the children?
If so, has a judge or the Department of Children and Family Services found abuse before? If so, give details.
Has a mental health, custody or substance abuse evaluation been requested in pleadings filed with the court? If so, list facts which support the request.

Are you willing to participate in mediation? (If physical abuse is an issue, parties are not required to mediate.)

What is your usual and customary work schedule, holiday and vacation schedule?

What is the usual and customary work schedule, holiday and vacation schedule of the other parent?

3. MODIFICATION OF PHYSICAL CUSTODY / VISITATION

This section is to be completed only if there has been a previous final judgment of physical custody or visitation.

What was the date of the last custody/visitation judgment?	Was this judgment a result of a judge trial or by the consent of the parties (consent judgment)?
--	--

Give details of the previous judgment on custody and visitation, with restrictions listed, if any.

If the judgment was a considered decree (after a judge trial), what have you claimed in your pleadings are the material facts affecting custody that have changed since the last judgment?

Is a temporary order in effect? If the answer is yes, please give details.

Areas of dispute before the court. Please check those that apply.

- | | |
|---|--|
| <input type="checkbox"/> Type of custody (joint custody vs. sole custody) | <input type="checkbox"/> Amount of time the children are with each parent (physical custody/visitation schedule) |
| <input type="checkbox"/> Who should be named as “domiciliary parent” | <input type="checkbox"/> Conditions of physical custody or visitation (restrictions, supervision) |

What type of physical custody/visitation for the *other* parent is now in the children’s best interest in your opinion?

Is shared (about equal) physical custody a feasible arrangement? Why or why not?

If you seek sole custody, briefly state the reasons (please note that **joint** custody is presumed to be in the best interest of the children and the party seeking **sole** custody has the burden of overcoming the presumption in favor of joint custody):

If you have asked, *in pleadings already filed with the court*, that the other parent’s physical custody/visitation privileges should be supervised or should have special conditions or restrictions, please explain the factual basis for the request.

Do you claim that the other parent has physically or sexually abused you or the children? If the answer is yes, has a judge or the Department of Children and Family Services found abuse before? If so, give details and attach judgment.

Has a mental health, custody or substance abuse evaluation been requested in pleadings filed with the court? If the answer is yes, list facts which support the request.

Are you willing to participate in mediation? (If physical abuse is an issue parties are not required to mediate.)

What is your usual and customary work schedule, holiday and vacation schedule?

What is the usual and customary work schedule, holiday and vacation schedule of the other parent?

B. CUSTODY OR VISITATION BY A NON-PARENT

1. INFORMATION ON NON-PARENT

WHAT IS YOUR RELATIONSHIP TO THE CHILDREN? Please check below:	
<input type="checkbox"/> Maternal Grandparent	<input type="checkbox"/> Other Relative _____ (Please specify)
<input type="checkbox"/> Paternal Grandparent	<input type="checkbox"/> Other _____

OTHER CASES INVOLVING THE CHILDREN (including Support Enforcement and Protective Orders)	Docket Number	JDC/Parish/City Court
HAVE THE CHILDREN BEEN ADOPTED?	By Whom?	

2. INFORMATION ON PARENTS

Who are the parents of the children?		
Were the parents married at the time of the children's birth?		
If the answer to the last question is no, did the father execute an Act of Acknowledgement? Is father listed on the birth certificate? Is there a Judgment of Paternity? Please give details:		
Is paternity in dispute?		
Are the parent(s) of the children no longer living? If so, indicate which parent.	MOTHER	FATHER
Are the parent(s) of the children in jail? If so, indicate which parent.	MOTHER	FATHER

3. VISITATION

Please answer this section if you are seeking visitation only.

DESCRIBE THE LENGTH AND QUALITY OF YOUR RELATIONSHIP WITH THE CHILDREN.
Are the children in need of guidance, enlightenment or tutelage which can best be provided by you (La. C.C. Art. 136)? If so, state why.
Have the children expressed a preference on your request for visitation?
Are you willing to encourage a close relationship between the children and their parents?
Are you in good physical and mental health?
Do you have special needs?
Are the children in good physical and mental health?
Do the children have special needs?
Describe why you think it is in the children's best interest for you to have visitation:
What visitation schedule do you propose?
Are you in contact with the children's custodial parent? Describe your relationship.

4. CUSTODY

Please answer this section if you seek custody

What type of custody do you seek (Sole or Joint Custody)?
Would substantial harm occur to the children if custody is not granted to you? If the answer is yes, please provide details.
Why would a transfer of custody to you be in the children's best interest?
Have the children been living with you in a wholesome and stable environment? If the answer is yes, for how long? If the children do not currently live with you, can you provide an adequate and stable home for the children?
What is your usual and customary work schedule?

C. RELOCATION OF A CHILD’S RESIDENCE MORE THAN 75 MILES OR OUT OF STATE

1. INFORMATION ON PARENTS

What is your relationship to the children?	Who is the children’s other parent?
Were you married to the other parent at the time of the children’s birth?	
If the answer to the previous question is no, and you are the father, have you signed an Act of Acknowledgement?	
Are you listed on the birth certificate?	Is there a Judgment of Paternity? Please give details:
Is paternity contested?	

OTHER CASES BETWEEN THE SAME PARTIES (including Support Enforcement and Protective Orders)	Docket Number	JDC/Parish/City Court

NAMES OF YOUR OTHER CHILDREN IN THIS CASE THAT YOU ARE SEEKING TO RELOCATE	GENDER	CURRENT AGE	DATE OF BIRTH

NAMES OF YOUR OTHER CHILDREN NOT AT ISSUE IN THIS CASE	GENDER	CURRENT AGE	DATE OF BIRTH

What type of custody do you have with these children?

Who is the primary domiciliary parent?

What is your physical custody/visitation schedule with these children?

Do you have any restrictions or conditions on your physical custody or visitation? If so please list, and attach copy of the judgment.

2. COURT ORDERS IN EFFECT

Is there a previous court order or judgment awarding legal custody (sole or joint)? If the answer is yes, answer these questions:

Give details of the previous judgment on physical custody/visitation, including the date of the last judgment, the name of primary domiciliary parent, if any, and any restrictions on physical custody or visitation.

Does the previous judgment/order have any provision about relocation? If the answer is yes, please give details.

Is there a protective order or domestic abuse order in effect? If the answer is yes, please give details and attach order.

3. PARENT SEEKING TO RELOCATE CHILDREN

The following questions are to be filled out only if you are the party seeking to relocate.

Where do you currently live? (City, Parish, and State)

For how long?

What is your marital status? Who resides (besides the children at issue) in the home with you?

Do you seek to relocate with the children outside of the State of Louisiana?	
If the answer is yes, where and when?	
Give details of your reasons for relocation.	
Is there a court order awarding custody?	If the answer is yes, do you seek to relocate more than 75 miles from the domicile of the primary custodian at the time the custody decree was rendered?
If the answer is no, do you seek to relocate with the children more than 75 miles from the other parent?	

Have you already relocated with the children?	If the answer is yes, give details of the temporary order allowing relocation or written consent of the other parent.
Have you requested a hearing on temporary relocation?	
What notice of proposed relocation was given to the other parent?	
Give the date and details. Attach a copy of the notice.	
Why is relocation in the children's best interest?	

4. PARENT OPPOSING RELOCATION OF CHILDREN
The following questions are to be filled out only if you oppose relocation of the children

Where do you currently live? (City, Parish, and State)	
For how long?	
What is your current marital status?	Who (besides the children at issue) resides in the household with you?
Are you employed?	If the answer is yes, give details of your position and work schedule.
Did you receive notice of the proposed relocation of your children?	If the answer is yes, give the date and details.
Why do you oppose the relocation?	
Do you currently pay child support pursuant to a court order?	If the answer is yes, give the date and details.
Are you current in child support payments?	Have you ever been in arrears in payment?
Give details, including contempt proceedings and judgments.	
What is your level of involvement at the current time with your children?	
Do you exercise physical custody/visitation as court-ordered?	If the answer is no, give details.
Do you currently have any protective orders or domestic abuse orders in effect against you?	

II. CHILD SUPPORT AND/OR SPOUSAL SUPPORT

YOUR CURRENT EMPLOYMENT			
Your Current Employer:			
Address, City, State, Zip:			Telephone Number:
Position:	Length of Employment:		Gross Salary/Wages per month: \$ Net Salary/Wages per month: \$
Other (bonuses, commissions, interest, dividends, rental, royalties, crop income, oil & gas revenue, stock options or shares, second jobs, etc.):			
Your usual and customary work schedule:			
1. Are any of the following supplied to you by your employer?	YES	NO	VALUE (if actual value unknown, provide estimate)
Housing			\$
Automobile			\$
Fuel, Mileage, or Credit Card			\$
Meal Allowance			\$
Travel Allowance			\$
Health and/or Life Insurance			\$
Other (Health club, etc.)			\$

SELF EMPLOYED	
Is your employment managed, controlled, or owned by you, a relative, or family member?	
If yes, give details:	
Have you provided the documents required for self-employed persons on the HOC Order?	

UNEMPLOYED	
Are you <u>un</u> employed?	
If so, indicate the last date on which you were employed:	
What is the reason for the termination of your employment (quit, fired, laid-off, business closed, disabled, etc.)?	
If you are receiving unemployment, amount per week \$	Anticipated Duration:
If you are receiving social security, worker's compensation, maintenance and cure, longshoremen and harbor workers, or any type disability benefits, amount per month \$	Anticipated Duration: Type (SSI, SSD, worker's comp, etc.):
If you claim you are disabled, but are not receiving disability benefits (SSD, Workmen's comp, Maintenance and Cure, etc.), you must bring certified copies of your medical records with you to the hearing.	

YOUR PRIOR EMPLOYMENT			
Your Prior Employer:			
Address, City, State, Zip:			Telephone Number:
Position:	Length of Employment:		Wages: \$
Other (bonuses, commissions, interest, dividends, rental, royalties, crop income, oil & gas revenue, stock options or shares, second jobs, etc.):			
Was the employment managed, controlled, or owned by you, a relative, or family member?			If Yes, give details:

OTHER INCOME OR ASSETS
If you have any income or asset which is not shown anywhere else in this form (such as bonuses, commissions, interest, dividends, rental, royalties, crop income, oil & gas revenue, trust income, recurring monetary gifts or donations, second jobs, etc.), please list and explain fully:

YOUR OWNERSHIP OR INTEREST IN A HOME OR REAL ESTATE		
Do you own a home and/or are you paying for a home?	Address, City, State:	
Estimated Market Value: \$	Remaining Mortgage Balance: \$	Monthly Payment: \$
If you are not buying a home, give the name, address, and telephone number of the owner of the place where you <u>live</u> :		
Amount of rent (if any) or other arrangement:		
Do you own or have an interest in any other real estate?		
If yes, state the nature of the property and its market value, and any rental income and expenses:		

YOUR CURRENT MARRIAGE/SPOUSE (if support is an issue before the court)	
If you are currently married, name of your current spouse:	
Your spouse's current employer:	
Address, City, State:	Telephone Number:

OTHER PERSON'S EMPLOYMENT
1. Is the person seeking support currently employed?
2. If so, where?
3. Has the person seeking support been employed during the marriage? If so, how long?
4. If not, why not?
5. What is the date of last employment of the person seeking support?
6. State the last income of the person seeking support: Monthly Gross \$ _____ : Monthly Net \$ _____
Please provide as much information as you can regarding the <u>other</u> party's employment, usual and customary work hours, travel obligations, income, and benefits:

IF EITHER PARTY IS PAYING EXTRAORDINARY COMMUNITY DEBTS		
Name of Debtor	Amount paid per month	Present balance of the debt
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
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	\$	\$
	\$	\$
	\$	\$

A. CHILD SUPPORT

1. Is this an initial child support rule or a request to modify a previous child support order?	
2. If this is a modification, what is the date of the last judgment?	
2a. Was child support determined as per Louisiana Support Guidelines?	
3. What do you allege <u>in your pleadings</u> is the material change in circumstance that has occurred since the last judgment was entered?	
4. If a modification is requested, is it for an increase or a decrease in support?	
5. If your request for a modification is based upon a change in <u>your</u> income or financial circumstances, indicate your gross income at the time the support was last set by the court (and provide a W-2 form or other supporting documentation), and the current amount of support ordered by the court:	
6. If there are minor children in this case under five (5) years of age, please indicate the parent with whom the children primarily reside:	
7. What is the <u>annual</u> cost of childcare (be sure to include before-school, after-school, holiday, and summer costs in your annual cost)? Have you applied for childcare assistance? How much will childcare assistance pay?	
8. Is health insurance for the children available through the employment of either parent(s) or stepparent(s)?	
9. Who currently provides health insurance for the children?	
10. What is the actual cost of health insurance for <u>only</u> the children – you must provide documentation from your employer or the insurance company to show the difference in cost for employee only coverage, and employee plus children coverage, if the children are covered under a family plan.	
11. If there are any children-related medical or dental expenses which are “extraordinary” (allergies, braces, ADHD, etc.) and which require either ongoing monthly payments and/or occasional payments in excess of \$100, or any child-related extracurricular activities, please describe the nature and cost of same:	
12. Are there children in private or parochial school whose support is at issue?	
13. If the children’s enrollment in private or parochial school is disputed, please explain your position:	
14. What is the <u>annual</u> cost of tuition and fees for children (registration, total annual tuition, books, supply fees, and other mandatory fees): Please itemize separately.	
14a. Do you get or expect to get tuition assistance?	How much?

15. Have you filed a Rule seeking the right to claim the children as a tax exemption?	
16. If you seek a deviation from the Louisiana Children Support Guidelines, state the reason(s) supporting the deviation:	
17. Expense Sharing – Are you sharing expenses with a third party? If so, state the nature and amount of your expenses which are being shared with or paid by a third party.	
18. Do the children receive income?	If the answer is yes, is the income of the children due to the disability of a child or a parent?
If due to disability of a parent, whose disability gave rise to the children’s income?	
Who currently gets the disability check?	
If the children’s income is not related to disability, please provide the nature, source and amount of the income and documentation of same.	

19. Are you paying court-ordered child support for other children? If yes, for each list:		
<u>Parish where issued</u>	<u>Date of Judgment</u>	<u>Amount of Award</u>

You are required to provide a certified copy of any judgment/court order or other document which requires you to pay child support for other children.

You are required to complete Section VIII – Income and Expense Sheet

B. SPOUSAL SUPPORT

1. If “final periodic spousal support” is opposed by you, please state the basis for opposing the claim for this form of spousal support (lack of need, inability to pay, fault), with an explanation:

2. If you request a modification or termination of court-ordered spousal support, please state the facts supporting your request?

3. If your request for a modification (either increase or decrease) is based upon a change in **your** income or financial circumstances, state your gross and net income at the time the support was last set by the court (provide supporting documentation):

You are required to complete Section VIII – Income and Expense Sheet

III.

USE OF FAMILY HOME/COMMUNITY MOVABLES

1. Who currently lives in the former marital home?
2. Does this party seek the continued and exclusive use of the home?
3. Does the non-resident party also seek the exclusive use of the home?
4. Who owns the former marital home?
5. Briefly state the reasons in support of <i>your</i> request to live in the home? (if applicable):
6. Are you requesting the exclusive use of any community or separate vehicles?
7. Who has possession of the community vehicles(s) at issue at this time?
8. List which vehicle (year, make, and model) and state whether it is community or separate property?
9. Briefly state the reasons in support of <i>your</i> request to have exclusive use of the vehicle (if applicable):
10. Are you requesting law enforcement assistance in returning to the home to retrieve clothing or other necessary items?
11. Are you requesting the use and possession of any other assets (furniture, appliances, etc.)?
12. If the answer is yes, please list and provide an explanation:
13. Is rental reimbursement for the family home an issue? If so, what is the rental value? Please provide proof.

IV.

INJUNCTIONS

COMMUNITY

1. Has either party requested an injunction to preserve the community?

2. If there is a need for an exception to such an injunction (for example, to permit a business to be able to continue to operate), provide a detailed explanation of the facts supporting the exception:

ABUSE / HARASSMENT

1. Has either party requested an injunction to protect a party or children?

2. If yes, provide specific facts which support such an injunction.

3. Are Protective Orders in effect?

4. If yes, please provide a copy of the petition and order.

V. CONTEMPT OF COURT – CHILD OR SPOUSAL SUPPORT MATTERS

CONTEMPT	
1. List each alleged count of contempt separately. For each, state the exact provision of a judgment or order that defendant has allegedly violated. Give the date of the judgment or order.	
2. Please provide the dollar value of the claim: Child Support: \$_____ ; Spousal Support \$_____ ; Other Money Judgment \$_____.	
a. What proof does payor have that they have paid toward their ongoing monthly obligation or arrears?	
b. What proof does payee have that they have not been paid on the ongoing monthly obligation or arrears?	
c. What notice was payee sent of their share of court-ordered obligations?	
d. Has payor been held in contempt of court before?	
e. If the answer to “d” is yes, list the date of each judgment of contempt.	
f. If the answer to “d” is yes, list the violation which led to each finding of contempt and sentence imposed by the court.	
g. Please state if a “purge” has been previously set by the court, and whether it was paid. (A “purge” is an order that gives a party more time to pay.)	
3. Are you asking that the party violating the court order be sentenced to jail time?	
4. Estimate the amount of attorney fees which you have incurred in seeking the relief before the court (you should only respond to this question if you are seeking to enforce a court order and attorney’s fees are a remedy provided by law): \$_____	
5. If the issue is reimbursement for medicals, extracurriculars, etc., list how and when demand for reimbursement was made. Provide a summary of all such expenses and the amount of the other party’s pro-rata share of same, and attach all supporting proof with the documents organized in the order and manner in which the expenses are listed in the summary.	
6. What is the payor’s ability to pay?	
7. Is there a non-support case pending?	If the answer is yes, please provide details.
8. If you are the payor, please state any defense you may have to non-payment of the amounts claimed.	
<u>NOTICE TO PAYORS:</u> Please be advised that your ability to pay will be an issue before the court and you must come prepared to present testimony and evidence you want the court or hearing officer to consider on your hearing date.	
You are also required to complete the attached Section VIII – Income and Expense Sheet.	

VI. CONTEMPT OF COURT – ALL MATTERS EXCEPT SUPPORT

1. List each count of contempt separately and for each, specify the judgment or order that defendant has allegedly violated, and specify the particular provision violated. Give date of the judgment or order, and date of each occurrence.
2. When did the alleged acts of contempt occur?
3. What relief are you seeking?
4. Are you asking that the party violating the court order be given jail time?
5. Estimate the amount of <u>your</u> attorney fees directly related to your contempt claim (you should only respond to this question if you are seeking to enforce a court order) \$_____

VII.**MOTION TO COMPEL DISCOVERY**

ANSWER TO INTERROGATORIES AND/OR REQUEST FOR PRODUCTION OF DOCUMENTS	
1. Were copies of the interrogatories and the alleged insufficient responses filed with your Motion to Compel?	
2. Was a Rule 10.1 Certificate of Conference filed with your Motion to Compel?	
3. Was reasonable notice of intent to file the Motion to Compel given to opposing party?	By what method?
4. Provide a list of exactly what you say was not provided, or what was deficient, and provide a copy of your letter to the other party itemizing same, and any response thereto.	
5. List reasonable expenses incurred in seeking and obtaining this order to compel (attorney fees and costs).	

VIII.

INCOME AND EXPENSE SHEET

(ALL categories are to be calculated on a monthly basis; supporting documentation required.)

		<u>PARTY</u>	<u>CHILDREN</u>	<u>TOTAL</u>
A.	<u>GROSS MONTHLY INCOME OF PARTY</u>			
	1. Wages and Commissions (Gross)			
	2. Bonuses (Gross)			
	3. Car Allowance			
	4. Other Expense Reimbursement			
	5. Interest			
	6. Dividends			
	7. Rents and Royalties (Net)			
	8. Business Profits (Pre-Tax)			
	9. Recurring Capital Gains			
	10. Trust Income			
	11. Recurring Gifts			
	<u>TOTAL GROSS MONTHLY INCOME</u>			
B.	<u>ITEMIZED PAYROLL DEDUCTIONS</u>			
	1. Federal Taxes			
	2. State Taxes			
	3. Social Security			
	4. Medicare			
	5. 401K Contributions			
	6. 401K Loan			
	7. Mandatory Retirement Contributions			
	8. Health Insurance			
	9. Life Insurance			
	10. Other Deductions (detail)			
	<u>TOTAL MONTHLY PAYROLL DEDUCTIONS</u>			
C.	<u>TAX LIABILITY (not deducted from payroll)</u>			
	1. Federal Income Taxes			
	2. State Income Tax			
	3. Self Employment Tax			
	4. Other			
	<u>TOTAL MONTHLY TAX LIABILITY (not deducted from payroll)</u>			
	<u>TOTAL NET MONTHLY INCOME</u>			
D.	<u>INCOME OF CHILDREN</u>			
	1. Social Security			
	2. Investment			
	3. Trust			
E.	<u>MONTHLY EXPENSES (List current, ongoing expenses):</u>			
	1. HOUSING			
	a. Mortgage/rent			
	b. Second Mortgage			
	c. Real Estate Taxes (not included in mortgage note)			
	d. Homeowner's/Condo Association Dues			
	e. Homeowners/Renter's Insurance			
	f. Flood Insurance			
	g. Security System			
	h. Furniture rental			
	i. Lawn care			

	<u>PARTY</u>	<u>CHILDREN</u>	<u>TOTAL</u>
j. Pool Service			
k. Repairs/Maintenance			
l. Pest Control			
m. Maid service			
n. Other (detail)			
2. FOOD AND HOUSEHOLD SUPPLIES			
3. CLOTHING			
4. TRANSPORTATION/AUTOMOBILE			
a. Car note/lease			
b. Maintenance			
c. Gas and Oil			
d. Repairs			
e. Insurance			
5. MEDICAL AND DENTAL			
a. Insurance (Hospitalization and Major Medical)			
b. Insurance (Deduction from payroll, if not listed in Section B)			
c. Prescriptions			
d. Over the counter medications			
e. Expenses not covered by insurance			
f. Routine medical exams			
g. Contacts/Glasses			
h. Counseling			
i. Dental maintenance			
j. Orthodontics			
6. UTILITIES			
a. Water			
b. Electric			
c. Garbage			
d. Pool			
e. Cable/Satellite TV			
f. Natural Gas/Propane			
g. Household Phone			
h. Computer			
i. Cellular Phone			
7. LAUNDRY AND CLEANING			
8. PERSONAL AND GROOMING (Cosmetics, haircuts, nails, etc.)			
9. EDUCATION EXPENSES			
a. Tuition (less amount of tuition assistance)			
b. Registration and Mandatory Fees			
c. Transportation			
d. Fees (Gym, band, cheerleading, sports, etc.)			
e. Books and Supplies			
f. Tutoring			
g. Other (field trips, etc.)			
10. CHILD CARE EXPENSES – WORK RELATED (*Child care expenses from above are subject to reduction for Federal Child Care Tax Credit and will be addressed by the court.)			
a. School Year Daycare (less child care assistance)			
b. Summer Daycare (less child care assistance)			
c. Before/After Care (not included above)			
d. Babysitter			
11. CHILD CARE EXPENSES – NON-WORK RELATED			
a. Daycare			
b. Babysitter			
12. GARNISHMENTS			
13. JUDGMENTS OF CHILD SUPPORT (for children other than those of this marriage/relationship)			

		<u>PARTY</u>	<u>CHILDREN</u>	<u>TOTAL</u>
14. FIXED OBLIGATIONS				
a. Credit cards (minimum monthly payment)				
Account	Total			
Balance				
1.	\$			
2.	\$			
3.	\$			
4.	\$			
5.	\$			
b. Credit union (minimum monthly payment)	\$			
c. Department store balances				
Account	Total Balance			
1.	\$			
2.	\$			
3.	\$			
d. Life Insurance				
e. Disability Insurance				
f. Other insurance (detail)				
15. ENTERTAINMENT/HOLIDAY EXPENSES				
a. Birthdays				
b. Holiday expenses				
c. Gifts from children to others				
d. Books, magazines, etc. subscriptions				
e. Entertainment				
f. Meals away from home				
g. Other (detail)				
16. EXTRACURRICULAR ACTIVITIES				
a. Health Club Membership				
b. Music Lessons/Fees				
c. Dance Lessons/Fees				
d. Sports Fee				
e. Summer Camp				
f. Equipment and Uniforms				
g. Other (detail)				
17. OTHER				
a. Charitable contribution				
b. Professional dues				
c. Vacations with children				
d. Pet expenses				
1. Food				
2. Vet/Grooming				
3. Boarding				
e.				
f.				
g.				
<u>TOTAL MONTHLY EXPENSES</u>				

If any of the above expenses are temporary, please explain fully any anticipated changes:

APPENDIX 23.0C: HEARING INFORMATION ORDER

_____ JUDICIAL DISTRICT COURT

VERSUS

NO.: _____ DIVISION: _____

_____ PARISH, LOUISIANA

HEARING INFORMATION ORDER

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

NOTICE OF DEADLINES

Documents required by the first paragraph of this order must be exchanged with the opposing party [and delivered to the court or filed with the clerk, if required by the court] at least five (5) days, exclusive of holidays, before the hearing.

If self-employed or employed by a closely-held business entity in which you have an ownership interest, documents required by the second paragraph of this order must be delivered to the opposing party [and to the court or filed with the clerk, if required by the court] at least five (5) days, exclusive of holidays, before the hearing.

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

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.
6. Any information on daycare costs. Include proof of costs, such as the daycare fee schedule, child care assistance received, and canceled checks for the last four (4) months, if available.
7. Any information on private or special school. Include: (a) proof of costs, such as a schedule indicating tuition, registration, books, and supply fees; 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 court**

or filed with the clerk, if required by the court] the following documents at least five (5) days, exclusive of holidays, before the hearing 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.**

At the hearing, 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 court or filed with the clerk, if required by the court**] the pertinent sections of the *Family Law Affidavit* at least five (5) days, exclusive of holidays, prior to the hearing:

[Each district to detail 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 *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, 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 court or filed with the clerk, if required by the court**].

_____, Louisiana this _____ day of _____, 20_____.

DISTRICT JUDGE

IMPORTANT NOTICE ABOUT YOUR CASE

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

- Find you in contempt of court with sanctions to be imposed.
- Dismiss the matter without prejudice.
- Find that good cause exists to modify the retroactivity of the award.
- Issue a temporary order based upon the limited information provided.

If the court is unable to issue a ruling 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.

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.

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.

APPENDIX 23.0E: COURTS THAT REQUIRE USE OF A SPECIFIC HEARING INFORMATION ORDER OR HEARING OFFICER AND INFORMATION ORDER

COURT	PARISHES	JDC-SPECIFIC RULES REQUIRING USE OF A SPECIFIC HEARING INFORMATION ORDER OR HEARING OFFICER AND INFORMATION ORDER

APPENDIX 23.0F: COURT-SPECIFIC RULES CONCERNING ARREARAGES

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING ARREARAGES</u>
1 st 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"> (a) A computation of the arrearage that has accrued under the judgment, and (b) An itemized list of all credits to which the defendant in rule is entitled during the period of the arrearage. <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p> <p align="center">PROCEDURES FOR POSTING PAYMENTS IN THE COMPUTER COLLECTION SYSTEM</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"> (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; (b) Secondly, the remainder of the payment, if any, will be posted to any amounts due on a prior judgment (arrearages); (c) Thirdly, the remainder of the payment, if any, will be posted to any overdue current support payment or any overdue arrearage payment. <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 nd 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"> a. A computation of all payments that have accrued under the judgment and are unpaid; b. An itemized list of all payments received showing date of receipt. <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 th 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"> (1) A computation of all payments that have accrued under the judgment. (2) An itemized list of all payments received showing when, to whom, by whom and in what manner said payments were made. (3) The amount of arrearages. <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>

<p>10th J.D.C.</p>	<p>Natchitoches Parish</p>	<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"> 1. A computation of all payments that have accrued under the judgment. 2. An itemized list of all payments received showing when, to whom, by whom and in what manner said payments were made. <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>
		<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"> (1) a computation of all payments that have accrued under the judgment; (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. (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. <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>
<p>13th J.D.C.</p>	<p>Evangeline Parish</p>	<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</p>

		<p>following:</p> <ol style="list-style-type: none"> (1) a computation of all payments that have accrued under the judgment; (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. (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. <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	Five (5) days prior to the Hearing Officer Conference, the parties shall submit to the Hearing Officer an Appendix 23.0B <i>Family Law Affidavit</i> with Section V (pertaining to arrearages) and all other pertinent sections completed.
18 th 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.
24 th J.D.C.	Jefferson Parish	ARREARAGES

		<p>A. Arrearages of child or spousal support shall be addressed in the manner described in Parts I and II of the 24th 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">1. An itemized list of all past due payments, including date due and amount.2. An itemized list of all payments received, including the dates of receipt.3. The total amount of arrearages. <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;">PROCEDURE FOR POSTING/RECORDING PAYMENTS</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">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;2. Second, the remainder of the payment, if any, will be posted to any amounts due on a prior
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		<p>judgment (arrearage);</p> <p>3. Third, the remainder of the payment, if any, will be posted to any overdue current support payment or any overdue arrearage payment.</p> <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 collection system, shall pay to the 24th Judicial District Court a fee of five (\$5.00) dollars per copy.</p>
26 th 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> <p>(a) A computation of all payments that have accrued under the judgment and are unpaid;</p> <p>(b) An itemized list of all payments received.</p> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>
28 th 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 th 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>

		<p>1. A computation of all payments that have accrued under the judgment.</p> <p>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.</p> <p>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.</p> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>
		<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> <p>1. A computation of all payments that have accrued under the judgment.</p> <p>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.</p> <p>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.</p> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>

<p>36th J.D.C.</p>	<p>Beauregard Parish</p>	<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> <p>a. A computation of all payments that have accrued under the judgment and are unpaid. b. An itemized list of all payments received, including the dates of receipt.</p> <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 "36th 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>
<p>39th J.D.C.</p>	<p>Red River Parish</p>	<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> <p>1. A computation of all payments that have accrued under the judgment.</p> <p>2. An itemized list of all payments received showing when, to whom, by whom and in what manner said payments were made.</p> <p>Prior to the time the matter is called for hearing, defendant will file a similar statement.</p>

		<i>See Section V of the Appendix 23.0B Family Law Affidavit.</i>
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**APPENDIX 23.1: COURT-SPECIFIC RULES CONCERNING PRE-TRIAL ORDERS IN
NON-COMMUNITY PROPERTY CASES**

COURT	PARISHES	COURT-SPECIFIC RULES FOR PRE-TRIAL ORDERS IN FAMILY LAW PROCEEDINGS
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>The parties shall exchange pre-trial order inserts as provided for in the case management scheduling order. The pre-trial order shall be prepared, signed by all parties or their counsel of record, and be filed by the party requesting the special setting with the clerk of court on the date set forth in the case management scheduling order.</p> <p>The parties and/or their counsel shall comply with all provisions of the case management scheduling and pre-trial order. Failure to comply may result in sanctions that may include the court rejecting non-conforming pleadings, losing the trial date, striking witnesses and/or exhibits and other sanctions as deemed appropriate for the administration of justice by the trial judge.</p>
24 th J.D.C.	Jefferson Parish	Upon receipt of a request for a pre-trial, scheduling or status conference, the court or the commissioner, as to matters within his or her areas of responsibility, may order that a written pre-trial order be submitted.

**APPENDIX 24.0: COURT-SPECIFIC RULES CONCERNING FORM OF PLEADINGS
AND CAPTION REQUIREMENTS IN FAMILY LAW PROCEEDINGS**

COURT	PARISHES	JDC-SPECIFIC RULES ON PLEADING AND CAPTION REQUIREMENTS IN FAMILY LAW PROCEEDINGS
13 th J.D.C.	Evangeline Parish	<p>Each exception, motion or rule (except a motion for extension of time within which to plead, a motion or rule to examine judgment debtor, and rules seeking the initial fixing of alimony or the initial award of custody) shall be accompanied by a memorandum of authorities and support thereof. A copy of the memorandum shall be mailed to the opposing parties by the filing party. An opponent may furnish a memorandum of authority at least 24 hrs. before the time set for hearing of the exception, motion or rule. No exception, motion or rule requiring a memorandum of authority shall be assigned for hearing until these requirements have been complied with.</p> <p>When any reference is made to any memorandum of authority other than (1) decisions of the appellate courts of this State, (2) Statutes of the State of Louisiana, and, (3) Statutes of the United States, a photocopy of the authority shall be attached to the memorandum.</p>
14 th J.D.C.	Calcasieu Parish	<p>1. All pleadings, motions and exceptions shall be typewritten and double spaced on white paper of legal size, with proper margins, and shall contain the title and number of the case and the nature of the filing. Quotations may be single-spaced.</p> <p>2. All initial filings in new suits filed in Family Court shall be accompanied by this form:</p> <p style="text-align: center;"> _____ VS. NO. _____ _____ </p> <p style="text-align: right;"> 14TH JUDICIAL DISTRICT COURT PARISH OF CALCASIEU STATE OF LOUISIANA </p> <p>FILED: _____</p> <p style="text-align: right;"> _____ DEPUTY CLERK OF COURT </p> <p style="text-align: center;">CLERK'S FORM</p> <p>Plaintiff: Name: _____ Physical Address: _____ _____ Mailing Address: _____ _____ Birthdate: _____ Birthplace: _____ Number of marriages including this one: _____ Social Security No.: _____ Employer: _____ Relative not living with you: _____</p> <p>Defendant: Name: _____ Physical Address: _____ _____ Mailing Address: _____ _____ Birthdate: _____ Birthplace: _____</p>

		<p>Number of marriages including this one: _____ Social Security No.: _____ Employer: _____ Relative _____ not _____ living _____ with _____ you: _____</p> <p>Prior Involvement with the 14th JDC, Family and Juvenile Court:</p> <table border="0"> <thead> <tr> <th>Type of Proceeding</th> <th>Caption/Docket Number</th> </tr> </thead> <tbody> <tr> <td>_____ Divorce (list all known proceedings that involve either party)</td> <td>_____</td> </tr> <tr> <td>_____ Domestic Abuse Protection (list all known proceedings that involve either party)</td> <td>_____</td> </tr> <tr> <td>_____ DCFS (Child in Need of Care Proceedings)</td> <td>_____</td> </tr> <tr> <td>_____ Juvenile Court (Delinquency, FINS, Truancy, Drug Court)</td> <td>_____</td> </tr> <tr> <td>_____ Adoption</td> <td>_____</td> </tr> <tr> <td>_____ Other</td> <td>_____</td> </tr> </tbody> </table> <p>General Information: Parties married at _____ on _____. Parties separated on or about _____. Number of children under 18 years of age born of the marriage _____. Their names and ages, if any: _____</p> <p>Attorney for Plaintiff: _____ Attorney for Defendant: _____</p> <p style="text-align: center;">BRIEFS AND MEMORANDUM</p> <p>A. Any brief, memorandum and/or correspondence with the Court shall be furnished contemporaneously to the opposing counsel or party, if unrepresented, with a certificate of compliance attached thereto.</p> <p>B. B. All exceptions and motions for new trial shall be accompanied by a brief written statement of the facts and reasons in support of the exception or motion and a memorandum of authorities on which the party relies. Copies shall be furnished contemporaneously to the opposing counsel or party if unrepresented. Each party opposing the exception or motion shall file with the Court, no later than five (5) judicial days before the hearing, a brief statement of the facts and reasons advanced in opposition to the exception or motion and a memorandum of authorities on which the party relies, a copy of which shall likewise be provided contemporaneously to the opposing counsel or party if unrepresented.</p> <p>C. C. Any exception or motion which is filed without a memorandum of authorities attached shall not be assigned a hearing date or in the discretion of the Court may be dismissed. Attorneys appearing without having timely filed the required memorandum of authorities may not be permitted to argue.</p>	Type of Proceeding	Caption/Docket Number	_____ Divorce (list all known proceedings that involve either party)	_____	_____ Domestic Abuse Protection (list all known proceedings that involve either party)	_____	_____ DCFS (Child in Need of Care Proceedings)	_____	_____ Juvenile Court (Delinquency, FINS, Truancy, Drug Court)	_____	_____ Adoption	_____	_____ Other	_____
Type of Proceeding	Caption/Docket Number															
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_____ Juvenile Court (Delinquency, FINS, Truancy, Drug Court)	_____															
_____ Adoption	_____															
_____ Other	_____															
<p>15th J.D.C.</p>	<p>Acadia, Lafayette, and Vermilion Parishes</p>	<p>A. All suits or pleadings for annulment, divorce and separation and all Family Docket cases shall be docketed as such. Unless otherwise set forth in the initial pleading for annulment, divorce and separation, the filing attorney or unrepresented party shall file a certification stating whether there are minor children born of, adopted or legitimated by the marriage that is the subject of the litigation. The proceeding first docketed shall be the proceeding for all subsequent litigation in the case. Any subsequent filings shall be filed in said docket. Any subsequent suits between the same parties shall be given a new docket number and division, but shall be consolidated into the previous docket and division.</p>														

		<p>B. In all instances, suit captions in all annulment, divorce and separation matters and all Family Docket cases shall include the parties' full names together with a woman's maiden name and her married name if applicable, and the Judge's division and Hearing Officer's division to which it is allotted. Divorce petitions shall clearly state within the title of the suit whether the petitioner is seeking a divorce under C.C. Articles 102 or 103 and whether there are or are not any minor children born or adopted of the marriage, or legitimated by the marriage of the parties. For example "Petition for 102 Divorce Without Minor Children" or "Petition for 103 Divorce With Minor Children."</p> <p>C. All suits or pleadings for annulment, divorce and separation and all Family Docket cases involving minor child(ren) shall state the full names of each child and date(s) of birth.</p> <p>D. When a petition, motion, or rule to show cause has been filed on any summary proceeding matter concerning child custody and visitation, child support, interim spousal support, final periodic support, for contempt and/or attorneys fees for nonpayment of child or spousal support, and/or use and occupancy of the family home and movables, the filing party shall attach an order setting the matter for hearing. Upon execution of said order by the Court, the Clerk of Court shall issue notice containing the information set forth in an Appendix 23.0D <i>Hearing Officer Conference and Information Order</i> and advising all counsel of record, and any unrepresented parties, of the date and time of the conference with the Hearing Officer, and compelling the attendance of the parties at said conference, with or without counsel. Said notice shall be mailed to counsel of record for the party filing the request for custody or visitation, or to the unrepresented party making such request, and shall be served upon the defendant-in-rule or respondent at the same time as service of the petition, motion, or rule to show cause.</p>
<p>16th J.D.C.</p>	<p>St. Mary, Iberia, and St. Martin Parishes</p>	<p>When a party moves to set for hearing a rule, exception, motion for summary judgment or other preliminary matter, he shall attach an adequate brief or financial declaration to that motion; otherwise, the Court will decline to sign the order setting the matter for a hearing. The other parties shall file their response memorandum at least five days prior to the hearing. With respect to trials on the merits, all parties will file pre-trial memoranda at least five days prior to the date on which the merits are fixed for trial.</p> <p>In all alimony cases, counsel shall file a financial declaration of the client on forms to be supplied by the office of the Clerk of Court. In all child support cases, counsel shall file the worksheet required by LSA R.S. 9:315.2. These affidavits shall serve as pre-trial memoranda if the only contested issues are the amounts of alimony and/or child support.</p>
<p>17th J.D.C.</p>	<p>Lafourche</p>	<p>A. Any petition, motion, rule to show cause or application for a temporary restraining order, preliminary injunction or permanent injunction pursuant to La. R.S. 9:372, La. R.S. 9:361, et seq., La. C.C.P. Art. 3601, et seq., La. R.S. 46:2131, et seq., La. R.S. 46:2151, La. Ch.C. Art. 1564, et seq., or La. R.S. 13:4248, or any motion to modify or dissolve an existing Louisiana Uniform Abuse Prevention Order, shall include a legible and fully completed Louisiana Uniform Abuse Prevention Order in a form approved by the Louisiana Protective Order Registry and prepared for the signature of the presiding judge.</p> <p>In any proceeding in which a temporary restraining order has been issued, a motion seeking a continuance of the hearing on the preliminary injunction shall include a legible and fully completed Louisiana Uniform Abuse Prevention Order.</p> <p>B. Whenever an order is issued pursuant to La.C.Cr.P. Art 327.1 or La.C.Cr.P. Art 335.1, the Sheriff shall: (1) present to the defendant a stay away order and notice to</p>

		<p>appear before the division of court conducting arraignments on the next day such division of court is in session, and (2) complete a legible Louisiana Uniform Abuse Prevention Order in a form approved by the Louisiana Protective Order Registry and forward such order to the division of court conducting arraignments prior to the defendant's appearance before such court.</p> <p>C. In all criminal cases in which a sentence imposes an order or a condition of probation for the purpose of preventing domestic violence or dating violence, the district attorney shall forward to the presiding judge a legible and fully completed Louisiana Uniform Abuse Prevention Order in a form approved by the Louisiana Protective Order Registry no later than the end of the next day the court is in session after the sentence has been pronounced.</p>
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">PLEADINGS AND NOTICE</p> <p>Section A.</p> <p>All suits or pleadings filed in Family Docket cases shall be designated and docketed as such. The proceeding first docketed including protective order in domestic violence cases shall be the proceeding for all subsequent litigation in the case.</p> <p>Section B.</p> <p>In all instances, suit captions in Family Docket cases shall include a woman's maiden name and her married name if applicable.</p> <p>Section C.</p> <p>Divorce petitions shall clearly state within the title of the suit whether the petitioner is seeking a divorce under Article 102 or 103.</p>
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	All petitions and other pleadings shall be addressed to The Family Court in and for the Parish of East Baton Rouge.
23 rd J.D.C.	Ascension, Assumption, and St. James Parishes	In suits for divorce, the petition must set forth affirmatively all relevant fact upon which the jurisdiction of the Court depends; and upon the trial of the case these facts, as well as the grounds upon which the demands are based, must be established by competent and sufficient evidence.
24 th J.D.C.	Jefferson Parish	<p>A. All domestic pleadings filed shall be designated as such on the face of the pleading and docketed as such by the clerk of court.</p> <p>1. Suit captions in all annulment, divorce and separation matters and all domestic cases shall include the parties' full names together with a woman's maiden name and her married name if applicable, and the judge's division, commissioner and hearing officer to which it is allotted.</p> <p>2. Divorce petitions shall clearly state within the title of the suit whether the petitioner is seeking a divorce under La. C.C. Art. 102 or 103, or R.S. 9:307.</p> <p>B. Any pleading, brief, memorandum and/or correspondence filed with the court shall be furnished contemporaneously and in the same manner to the opposing counsel or</p>

		<p>party, if unrepresented, and shall be accompanied by a certificate of compliance with this rule.</p> <p>C. The delays for filing of pleadings, briefs or memoranda and response thereto prior to hearing shall, except where specifically addressed in these rules, conform to the Uniform District Court Rules 9.8, 9.9, 9.10.</p> <p>D. When a pleading is filed in any domestic matter where child custody and visitation, child support, spousal support, community property, use and occupancy of movables and immovables is or may become an issue, the parties shall comply with the Appendix 23.0D <i>Hearing Officer Conference and Information Order</i> and submit an Appendix 23.0B <i>Family Law Affidavit</i> with all pertinent portions completed unless current forms have previously been filed.</p> <p>1. The clerk of court shall cause to be served upon counsel for the opposing party, or the opposing party where unrepresented, a certified copy of the original pleading and the forms required by the 24th JDC's Appendix 32.0B.</p> <p>2. The forms shall be completed and exchanged by the parties and delivered to the hearing officer not less than five (5) working days prior to the hearing officer conference.</p> <p>E. In any domestic matter in which pleadings and/or hearing officer packets are filed which do not substantially conform to the rules of this court, or judgments are not submitted in a timely manner, the district judge, the domestic commissioner or the domestic hearing officer may impose such sanctions as it may deem appropriate, and as provided by law, including but not limited to:</p> <p>1. A denial of the right to oral argument;</p> <p>2. A continuance of the hearing to permit opposing counsel to adequately prepare for the hearing;</p> <p>3. An award of costs, including reasonable attorney's fees, to the opposing party, to compensate such party for the time and expense lost. The reasonable attorney's fee sanction shall be up to \$250.00 from the offending attorney or pro se litigant to the aggrieved attorney or pro se litigant. This sanction shall also be applicable to attorneys or litigants that unjustifiably fail to appear at scheduled hearing officer conferences or district court trial, without prior notice to the hearing officer or court.</p> <p>4. A summary ruling against the party who failed to submit proper pleadings timely.</p> <p>5. A finding of contempt and imposition of fines and penalties.</p>
<p>33rd J.D.C.</p>	<p>Allen Parish</p>	<p>In suits for divorce or separation from bed and board, the petition must set forth affirmatively all relevant facts upon which the jurisdiction of the Court depends; and upon the trial of the case these facts, as well as the grounds upon which the demands are based must be established by competent and sufficient evidence.</p> <p>All suits for divorce or separation shall be accompanied by an informational sheet, referred to as the "Clerk's Form". A sample of this form is as follows:</p> <p style="text-align: center;">INFORMATIONAL SHEET--CLERK'S FORM</p> <p>PLAINTIFF: Name: _____ Usual Residence: _____ _____</p>

		<p>Birthdate: _____ Birthplace: _____ Number of marriages including this one: _____ Employment: _____ _____</p> <p>DEFENDANT: Name: _____ Usual Residence: _____ _____</p> <p>Birthdate: _____ Birthplace: _____ Number of marriages including this one: _____ Employment: _____ _____</p> <p><u>GENERAL INFORMATION:</u></p> <p>Parties are of the _____ race.</p> <p>They were married at _____ _____</p> <p>They separated on or about _____ _____</p> <p>Number of children under 18 years of age are _____ _____</p> <p>Their names and ages, if any, are _____ _____ _____</p> <p>ATTORNEY FOR PLAINTIFF: _____ ATTORNEY FOR DEFENDANT: _____</p> <p>FURTHER COMMENTS: _____ _____ _____ _____</p>
36 th J.D.C.	Beauregard Parish	In suits for separation from bed and board or divorce, the petition must set forth affirmatively all relevant facts upon which the jurisdiction of the court depends; and upon the trial of the case these facts, as well as the grounds upon which the demands are based, must be established by competent and sufficient evidence.
39 th J.D.C.	Red River Parish	<p>The following rules shall be observed with respect to separation and divorce cases:</p> <p>(a) In proceedings for divorces based upon a judicial separation, followed by one year separation without reconciliation, the defendant or his attorney therein may accept service and waive citation. In all other separation and divorce cases, all petitions must be filed in the office of the Clerk of Court, citations regularly issued thereon, and service made according to law.</p>

		(b) Any answer, or other pleading, either prepared, filed or in any manner directly or indirectly handled, or any advice given by counsel to the party, other than the one he represents, should be avoided.
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APPENDIX 24.1: COURT-SPECIFIC RULES CONCERNING PRIOR OR MULTIPLE FILING OF PLEADINGS

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING PRIOR OR MULTIPLE FILING OF PLEADINGS</u>
24 th J.D.C.	Jefferson Parish	<p style="text-align: center;">PLEADINGS IN ALLOTTED CASES</p> <p>A. All pleadings or motions between the same parties filed in domestic cases must be filed in the first suit filed by either party.</p> <p>The proceeding first filed, unless abandoned or dismissed as a matter of law, shall be the proceeding for all subsequent litigation in the case.</p> <p>1. Upon filing, the clerk shall certify whether there are prior domestic pleadings filed between the same parties.</p> <p>2. Where there is an earlier case between the same parties the clerk of court shall transmit the earlier record to the court along with the new filing and conform to the requirements of the 24th JDC's Appendix 24.2.</p> <p>B. When pleadings are filed in any new or ongoing matter within the authority and responsibility of the domestic hearing officer, the 24th JDC's Appendix 32.0B shall be complied with.</p> <p style="text-align: center;">TRANSFER OF CASES</p> <p>A. A domestic case which is allotted as a new case where a case already exists between the same parties which has neither been abandoned or dismissed shall be transferred to the division of court to which the original pleading was allotted and consolidated with the first filed case in conformity with this Appendix.</p> <p>B. This rule shall be applied so that cases remain with the division, domestic commissioner and domestic hearing officer to which they were first allotted and the parties appear before the same division, domestic commissioner and domestic hearing officer in all matters.</p>

**APPENDIX 24.2: COURT-SPECIFIC RULES CONCERNING ALLOTMENT OF
CASES**

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING ALLOTMENT</u>
1 st J.D.C.	Caddo Parish	<p style="text-align: center;">FILING OF DIVORCE AND MATTERS INCIDENTAL TO DIVORCE; MULTIPLE DIVORCE PETITIONS</p> <p>In accordance with C.C. Art. 2375(C), all pleadings or motions between the same parties relative to divorce or matters incidental to divorce must be filed in the first suit filed by either party.</p> <p style="text-align: center;">FILING OF DIVORCE AND MATTERS INCIDENTAL TO DIVORCE; MULTIPLE DIVORCE PETITIONS</p> <p>In accordance with C.C. Art. 2375(C), all pleadings or motions between the same parties relative to divorce or matters incidental to divorce must be filed in the first suit filed by either party.</p>
7 th J.D.C.	Catahoula and Concordia Parishes	No case shall be allotted which has not been regularly filed and docketed, except that in uncontested domestic matters not previously docketed and allotted, the original papers may be filed in open Court in either division, docketed and allotted to the division sitting at the time, and forthwith decided according to law.
11 th J.D.C.	Sabine Parish	<p>A. When a suit for divorce has been filed in this district and any other ancillary proceedings directly connected with the original suit are filed thereafter, the subsequent action shall be filed in the original proceeding. Thus, the judge originally assigned the matter shall continue the proceeding until it is drawn to a conclusion.</p> <p>B. Where a suit is filed, involving a summary matter, accompanied by a rule, as a rule for restraining order and injunctive relief, child custody, support, alimony and the like, the suit will first be filed with the Clerk of Court, docketed and allotted before being presented to a Judge, who shall then fix a hearing on the rule for the next court to be held in the Parish, within the time provided by law, by the Judge of the Division to whom the case has been allotted. The Judges of each Division may, in addition to his regularly scheduled terms of Court, designate two days each month, for each Parish, for hearing such matters as are hereinabove referred to if such additional scheduling is necessary.</p>
14 th J.D.C.	Calcasieu Parish	<p>A. Family and Juvenile Court cases shall be allotted on random basis and in a manner that prevents parties filing proceedings from anticipating assignments or otherwise forum shopping for a particular division of the Court.</p> <p>B. All cases involving the same family units shall be allotted to the same division of the Court.</p>

		<p>C. Once a case has been allotted, all exceptions, motions, rules and trials on the merits shall be heard by the Judge of the division to which the case is allotted. Any uncontested matter, preliminary default or confirmation of default may be taken up before any division of Family and Juvenile Court.</p> <p>D. If all Judges in Family and Juvenile Court are recused or are unable to preside in the matter, the case shall be assigned randomly among the other Judges of the 14th Judicial District Court.</p> <p>E. If two cases are consolidated, the case having the highest docket number shall be transferred to the division to which the case having the lower docket number has been allotted.</p> <p>F. The allotment of cases referred to herein shall be made by the Deputy Clerk of Court assigned to Family and Juvenile Court or any Deputy Clerk duly designated.</p> <p>G. After a case has been allotted, the Clerk of Court shall at once cause the division to which the case has been allotted to be noted on the outside of the jacket of the record and in the docket book.</p>
<p>16th J.D.C.</p>	<p>St. Mary, Iberia, and St. Martin Parishes</p>	<p>Family Docket cases shall be allotted to divisions of the court by the Clerk of Court of each parish in the same manner as allotment of other civil issues.</p>
<p>Family Court for the Parish of East Baton Rouge</p>	<p>East Baton Rouge Parish</p>	<p style="text-align: center;">ALLOTMENT OF CASES.</p> <p>1. The Clerk of Court shall, upon the filing of any new proceedings, immediately allot the same to a division by the use of a mechanical or electronic device to ensure the equal assignment among the divisions of Court. The method of allotment shall be subject to the direct supervision of the Court and shall maintain equal distribution of cases among the divisions.</p> <p>2. If a petition for a domestic violence order is the initial filing, it shall be allotted according to § 1 of this rule. If a proceeding between the same parties has already been filed at the time of the filing of a domestic violence petition, it shall be handled in accordance with the <i>Domestic Violence Proceedings</i> section below.</p> <p>3. Any variance from this rule must be approved by all judges concerned.</p> <p style="text-align: center;">RE-ALLOTMENT OF CASES.</p> <p>1. After a case has been allotted, it may be re-allotted for good cause from one division to another by an order signed by the judge presiding over the division from which the case is being re-allotted, or by an order rendered ex proprio motu by the Court sitting en banc.</p> <p>2. Upon the re-allotment of a case, the division designation on the record</p>

jacket shall be changed, the Clerk's cost docket shall reflect the change, and all additional pleadings are to bear the new caption. The re-allotment order or a copy thereof is to be filed in all affected records.

CONSOLIDATION OF CASES.

1. When a suit is filed into a new docket number involving the same parties to an ongoing suit, the cases shall be consolidated into one suit number. The cases with the higher docket numbers shall be consolidated into the case with the lowest docket number in the original division.

2. Consolidations under this rule shall be accomplished by a motion to consolidate filed by an attorney or self-represented party. The motion shall be granted upon signature of all of the judges presiding over the affected cases. The Court may decline to take further action on the cases until they are properly consolidated according to this rule.

3. Upon the consolidation of cases, the division designation on the record jacket shall be changed, the Clerk of Court's cost docket shall reflect the change, and all additional pleadings are to bear the caption of the lowest docket number. The consolidation order or a copy thereof is to be filed in all affected records.

4. This rule shall not be applicable in domestic violence cases. Consolidations and transfers of domestic violence cases are set forth in the following *Domestic Violence Proceedings* section (below).

DOMESTIC VIOLENCE PROCEEDINGS.

1. All petitions for temporary restraining orders, preliminary or permanent injunctions, protective orders, motions to dissolve or modify prior protection orders, judgments of dismissal, and petitions making foreign protective orders executory requested pursuant to Louisiana Code of Civil Procedure articles 3601 et seq., Louisiana Revised Statutes §§ 9:361 et seq., Louisiana Revised Statutes § 9:372, Louisiana Revised Statutes §§ 46:2131 et seq., and Louisiana Revised Statutes § 46:2151 shall be accompanied by the appropriate uniform abuse prevention order provided by the Louisiana Protective Order Registry.

2. For these matters, whether in conjunction with any other pleading or separate from any other action, the Court will accept only those forms designated and approved by the Louisiana Protective Order Registry. Failure to use these forms may result in denial of the relief sought.

TRANSFER OF CASES.

1. An action filed after a reconciliation of the parties, an abandonment of the action, a dismissal of the action, or a finding of nullity shall be given a new suit number and randomly allotted as required by law. However, the Clerk of Court shall automatically transfer the case, if the case is allotted to a different division than the original division, to ensure that the case is heard by the original division.

2. All cases involving the same payor of child support shall be transferred to the same division of the Court. In the event that there are multiple cases involving the same payor of child support, all the cases shall be transferred to the division with the lowest suit number.

3. Transfers under this rule shall be accomplished by a notice of prior or multiple filings filed by an attorney or self-represented party:

(PETITIONER) NO: ____ DIV. _____

VERSUS THE FAMILY COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

(DEFENDANT)

NOW INTO COURT comes _____,
petitioner herein, who advises that the attached pleadings involves the same
parties as those in a suit entitled _____

_____, bearing docket number F _____, which
was allotted to Division _____ of The Family Court. Subsequently, there was:

- _____ a reconciliation of the parties.
- _____ an abandonment of the action.
- _____ a dismissal of the action.
- _____ a finding of nullity.
- _____ other: _____.

According to the rules of The Family Court, the attached pleading should be allotted a new docket number and division as provided by law, and then transferred to the original division provided above.

Respectfully submitted:

(ATTORNEY SIGNATURE)

(PRINTED FULL NAME)

(BAR ROLL NUMBER)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(TELEPHONE NUMBER)

		<p>The Court may decline to take further action on the cases until they are properly transferred according to this rule.</p> <p>4. Each case shall maintain its own suit number but the division designation on the record jacket shall be changed, the Clerk's cost docket shall reflect the change, and all additional pleadings are to bear the new division designation. The transfer order or a copy thereof is to be filed in all affected records.</p> <p>5. This rule shall not be applicable in domestic violence cases. Consolidations and transfers of domestic violence cases are set forth in the <i>Domestic Violence Proceedings</i> section above.</p>
21 st J.D.C.	Livingston, St. Helena, and Tangipahoa Parishes	<p>In domestic cases, all pleadings involving the same family units shall be allotted to the same division of court, under the process set forth in Appendix 9.3. When a petition in a civil divorce action, protective order case under Title 46 of the Revised Statutes, or a rule for support initiated by the State of Louisiana is filed, that matter shall be immediately allotted, and any subsequent filing in any of these types of proceedings shall be filed in the same proceeding as the pleading first filed.</p> <p>Community property partition cases which are filed separately from the divorce action giving rise to the partition proceeding shall be allotted to the same division to which the first action involving the parties was allotted. The same rule for allotment shall be applied to support enforcement, paternity actions, protective orders, and all other matters involving the same family unit.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>A. Subject Matter Jurisdiction</p> <p>The subject matter jurisdiction for Divisions K and L shall be limited to family and juvenile matters as provided by Article V. Section 15 (A) of the Constitution of the State of Louisiana and La. R.S. 13:621.22.</p> <p>B. Re-allotment of Existing Cases to Family Court</p> <p>All existing family court matters shall be randomly re-allotted, beginning January 1, 2009, from Divisions A through J, to Divisions K and L, such re-allotment to occur as pleadings are filed. All new family court civil filings in St. Tammany and Washington Parishes, filed on January 1, 2009, and thereafter, shall be randomly allotted to Divisions K and L.</p> <p>C. Re-allotment of Family Court Cases Due to Recusal</p> <p>If the Judge of either family court, Division K or L, is recused from a case, the case will be allotted to the other family court division. In cases filed prior to January 1, 2009, if both judges of the family court, Divisions K and L, are recused from a case, the case will be re-allotted to the general jurisdiction division to which it was allotted prior to January 1, 2009. In new cases filed on January 1, 2009 and thereafter, the cases will be randomly re-allotted to one of the ten general jurisdiction divisions.</p> <p>D. Juvenile Docket</p>

All juvenile matters in St. Tammany and Washington Parishes shall be allotted to Division E until further notice except for: (1) the Child Support Enforcement Appeal Docket; (2) Juvenile Drug Court; and (3) adoptions involving children that have never been the subject of a Child in Need of Care proceeding.

Any adoption proceeding instituted in this court involving a child that has been the subject of a Child in Need of Care proceeding shall be allotted or transferred to the district court division or city court exercising original juvenile jurisdiction over the child.

E. Child Support Enforcement Appeal Docket

The Child Support Enforcement Appeal Docket (also referred to as Title IV-D or Non-support) shall be assigned to Division K until further notice.

F. The Protective Order Appeal Docket

The Protective Order Appeal Docket shall be assigned to Divisions K and L on a random basis. All Protective Order Petitions shall be assigned to the Commissioner's docket, unless waived by the Court.

G. Adoption proceedings

To determine allotment of adoption proceedings pursuant to Appendix 24.2(D), each petitioner or their counsel of record shall execute the required Appendix 24.2(G) Juvenile Jurisdiction Certification Affidavit for each child involved in every private, intrafamily, or agency adoption proceeding. The Certification Affidavit shall be filed with the Clerk of Court together with the Petition for Adoption.

Attached to the Petition for Adoption or the Certification Affidavit shall be a copy of the last judgment pertaining to the custody and/or disposition involving the prospective adoptive child.

The Appendix 24.2(G) Juvenile Jurisdiction Certification Affidavit shall contain the following language or language substantially in conformity therewith:

“BEFORE ME, the undersigned notary public, comes _____ Petitioner/Counsel for Petitioner(s), who being duly sworn, did depose and state that he/she is the Petitioner/Counsel for Petitioner(s) in the foregoing Petition for Adoption, that to the best of his/her personal knowledge, information and belief the proposed adoptive child has/has never been the subject of a Child in Need of Care proceeding.

Furthermore, Petitioner/Counsel for Petitioner(s) hereby certifies that (choose one) the 22nd Judicial District Court/Slidell City Court/Bogalusa City Court/other specified has original juvenile jurisdiction over the proposed adoptive child.”

<p>23rd J.D.C.</p>	<p>Ascension, Assumption, and St. James Parishes</p>	<p>The Clerk of Court shall assign randomly to Divisions A, B, C, D and E all civil cases when any pleading is filed in accordance with Code of Civil Procedure Article 253.1. Civil cases will be randomly allotted in the following categories; 1) personal injury and maritime cases; 2) family cases, and 3) all other civil cases. In each category, each division shall be randomly allotted the same number of cases. In St. James Parish, all paternity and civil support cases filed by the State of Louisiana shall be assigned to Division B. In Assumption Parish, all paternity and civil and criminal support cases filed by the State of Louisiana shall be assigned to Division A. In Ascension Parish, all paternity and civil support cases filed by the State of Louisiana shall be assigned to Divisions C, D, and E.</p> <p>In the event a judge recuses or is recused from a case, the case shall be re-allotted by the Clerk of Court in the presence of two (2) judges.</p>
<p>24th J.D.C.</p>	<p>Jefferson Parish</p>	<p>A. Domestic cases shall be allotted to divisions of the court by the clerk of court in the same manner as civil cases and shall be designated as domestic.</p> <p>B. No case shall be allotted which has not been regularly filed and docketed.</p> <p>C. At the time of filing, each case shall be simultaneously assigned by random allotment to a district judge and a domestic commissioner.</p> <p>D. Domestic hearing officers shall be assigned to district court divisions. Domestic hearing officer conferences for cases allotted to a division of district court will be conducted by the domestic hearing officer assigned to that division of court. If the assigned domestic hearing officer is truly unavailable any other domestic hearing officer may conduct the domestic hearing officer conference.</p> <p>E. The proceeding first filed, unless abandoned or dismissed as a matter of law, shall be the proceeding for all subsequent litigation in the case. Upon filing, the clerk shall certify whether there are prior domestic pleadings filed between the same parties.</p> <p>F. At the time an initial pleading in a domestic case is filed, the clerk of court shall provide the parties or their attorneys with the following forms: <i>Notice of Hearing Officer Conference and Notice of Hearing Date of Suit</i> (form appears in 24th JDC's Appendix 32.0B), an Appendix 23.0B <i>Family Law Affidavit</i>, and an Appendix 23.0D <i>Hearing Officer Conference and Information Order</i>.</p> <p>G. Litigants represented by the Pro Bono Project, New Orleans Legal Assistance Corporation, New Orleans Family Services, Tulane Law School Clinic, Loyola Law School Clinic and litigants who are receiving public assistance or who qualify under La. C.C.P. Art. 5183 shall enjoy the rebuttable presumption of pauper status.</p> <p style="text-align: center;">ALLOTMENT OF CASES REQUIRING A PROTECTIVE ORDER</p>

		<p>A. If a protective order is the initial proceeding filed, it shall be randomly allotted to a district judge, and domestic commissioner.</p> <p>B. If at the time of filing of a petition for protective order, a proceeding between the same parties has been filed, the petition for protective order shall be filed in the original case.</p> <p>C. The domestic commissioner shall conduct domestic abuse hearings including actions filed pursuant to the Domestic Abuse Assistance Act, the Post-Separation Family Violence Relief Act, and Uniform Abuse Prevention Orders within the delays allowed by law.</p> <p>D. Appeals from judgments of the domestic commissioner shall be filed in conformity with the 24th JDC's Appendix 32.0B.</p> <p style="text-align: center;">HEARING BEFORE JUDGE TO WHOM CASE ALLOTTED.</p> <p>A. Matter Heard by Judge to Whom Allotted</p> <p>Except matters reserved to the domestic commissioners and domestic hearing officers by these rules and except as allowed by La. C.C.P. Art. 253.3, all contested matters must be heard by the judge to whom the matter was allotted. If all parties and both judges consent, a judge other than the one allotted the action may hear the matter. The judge to whom the action has been allotted may designate any other judge to sign such orders and set such hearings, and in his or her absence, to hear such matters as necessary to comply with law, or when deemed to be an emergency, in accordance with La. C.C.P. Art. 253.3.</p> <p>B. Allotment; Signing of Pleadings in Allotted Cases</p> <p>To the extent allowed by La. C.C.P. Art. 253.3, the 24th Judicial District Court may designate in accordance with the local rules and as set forth in Appendix 3 of the La. District Court Rules: (1) those matters that ordinarily will not be allotted to a particular division of the court and instead will be signed by the duty judge or commissioner or by any judge authorized to sign such pleadings; and (2) those pleadings that, although filed in actions that will be allotted, may be presented for signature to the duty judge or commissioner or to any judge authorized to sign such pleadings.</p>
<p>27th J.D.C.</p>	<p>St. Landry Parish</p>	<p>In criminal matters, all felony and misdemeanor cases shall be allotted by chance to the several divisions. However, all traffic cases, non-support matters, protective orders, orders of protective custody and preliminary matters at magistrate's hearing will not be allotted and will be handled by the judge on the criminal bench at that time said matters are presented to said judge.</p> <p>All matters initiated under the Family Violence Act (R.S. 46:2121 et seq.) shall be presented first to the hearing officer and then to the judge on criminal duty. In cases of extreme emergency or when the judge on criminal duty will not be available for more than 24 hours, at the request of the judge on criminal duty, the matter may be submitted to any other available judge. However, the case</p>

		will remain thereafter with the judge on criminal duty for any future dispositions.
29 th J.D.C.	St. Charles Parish	<p>1. The Clerk of the Twenty-Ninth Judicial District Court, or a person designated by him and under his immediate supervision, upon the filing of any new civil proceeding and the payment of all costs chargeable thereto, shall immediately and publicly allot the case to a division of the Court in a manner and by the use of a mechanical or electronic device which insures the equal assignment by chance and by lot among the divisions of the court. The Clerk of Court shall furnish to the court a list of the allotments monthly.</p> <p>2. Protective orders shall be randomly allotted according to the Clerk's random allotment procedures. Any subsequently filed suit for divorce between the same parties shall be consolidated with any protective order suit that is still active. Any protective order suit is still active if it has not been formally dismissed with a written order of dismissal signed by a judge or unless it has expired by operation of law.</p>
30 th J.D.C.	St. Charles Parish	<p>A. Suits or proceedings not in their nature original, but growing out of suits or proceedings previously pending, such as actions of nullity of judgment, or to restrain or regulate the execution of process, mesne or final, in suits previously pending, shall not be docketed as separate suits, but shall be treated as parts of the original suits out of which they arise, shall be docketed and numbered as parts of such suits, and shall follow the prior allotment or assignment to the respective division of the Court. Whenever, by error or oversight, this rule shall be violated the Judge to whom the matter shall have been allotted shall have power to order same transferred to the proper division, there to be consolidated with the original suit.</p> <p>A suit to change custody or to amend alimony or child support payments should be assigned to the Judge of the division to which the case was originally allotted.</p> <p>B. When alimony or child support has been fixed in a proceeding, any subsequent application or rule to increase, decrease, or otherwise amend such payments shall be allotted to the judge of the Division of which it was previously allotted.</p>
Civil District Court	Orleans Parish	<p>1. No case shall be allotted which has not been regularly filed and docketed.</p> <p>2. To avoid confusion when divisions rotate in and out of the domestic relations section, cases shall be allotted to sections rather than to the divisions of court. Upon filing the first pleading, a case shall be randomly allotted either to section 5 through section 16 (non-domestic cases) or to a domestic relations section. When a division ceases to be a domestic relations section, it shall be assigned those cases previously assigned to that division succeeding to the domestic relations section. The Clerk of Court shall publish conspicuously in the Clerk's Office the assignment of case sections to particular divisions of the court. The division shall handle the section cases assigned to it until a change in the assignment of cases in accordance with this Rule.</p>

		<p>3. To achieve continuity of case management, and to avoid the appearance of forum shopping, it is the policy of the court that subsequent but related cases should be transferred to the division to which the original case was allotted, whether or not such earlier case is still pending. It shall be the duty of any attorney in such cases to call to the court's attention the existence of such earlier case. The following are examples of cases which ought to be transferred to the original division:</p> <p>Domestic cases involving spouses between whom a prior case had been pending, even though terminated by reconciliation or otherwise dismissed, including subsequent cases for dissolution of the marriage, settlement of the community, alimony or custody.</p>
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APPENDIX 24.3: COURT-SPECIFIC RULES CONCERNING WALK-THROUGH OF PLEADINGS

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING WALK-THROUGH OF PLEADINGS</u>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>Any pleading which a party requests to be walked through to a Judge, must involve extraordinary circumstances warranting the immediate presentation to the Judge.</p> <p>A. Existing Suits Allotted to Divisions K and L</p> <p>If an attorney or member of their staff or a self-represented litigant presents a pleading to file which involves extraordinary circumstances, they are to first get written approval to walk through the pleading by the Division Judge or their staff attorney. The attorney or staff member or the self-represented litigant must then present the original pleading to the Clerk’s office for filing and check-out the record for presentation to the Judge if authorized by the clerk. After signature by the Judge, the pleading and record are to be returned to the Clerk’s office by the attorney or staff member or by the Court.</p> <p>B. New Suits and Existing Suits Prior to Re-Allotment</p> <p>If an attorney or member of their staff or a self-represented litigant presents a pleading to file which involves extraordinary circumstances, they are to first present the original pleading to the Clerk’s office for filing and allotment to a Division. The attorney or staff member or self-represented litigant must then get written approval to walk through the pleading by the Division Judge or their staff attorney. The attorney or their staff member or self-represented litigant must then present the original pleading to the Judge for signature. If the pleading is to be filed in an existing suit, the record must be checked out and must accompany the pleading presented for signature. After signature by the Judge, the pleading and file are to be returned to the Clerk’s office by the attorney or staff member or by the Court.</p> <p>C. Protective Orders</p> <p>Protective Orders, or pleadings seeking a Protective Order, are allowed to be walked through without prior approval of the Judge, but must first be presented to the</p>

		Clerk of Court's protective order personnel prior to walk through.
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APPENDIX 24.4: COURT-SPECIFIC RULES CONCERNING APPOINTMENT OF ATTORNEYS TO REPRESENT ABSENTEE DEFENDANTS

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING APPOINTMENT OF ATTORNEYS TO REPRESENT ABSENTEE DEFENDANTS
14 th J.D.C.	Calcasieu Parish	<p>A. In any case in which a curator ad hoc is appointed to represent an absentee defendant, the petition shall contain information as to the residence address or whereabouts of the defendant. The curator ad hoc shall promptly make diligent effort to locate and contact the defendant either by personal contact or by certified or registered mail with return receipt requested. When the case is called for trial, the curator ad hoc shall be prepared to present competent evidence to show that a diligent effort was made to locate the defendant, to give him the information and render the services required by this rule.</p> <p>B. If the absentee defendant can be located or contacted, the curator ad hoc shall inform him, either by personal contact or by certified or registered mail with return receipt requested, of the nature of the proceedings and the date of the trial or hearing, and he shall render such other services as may be necessary for the protection of the rights of the absentee. At the trial or hearing, unless otherwise ordered by the Court, the curator ad hoc shall file in evidence copies of the letters written to or received from the defendant, and the return receipts of registered letters addressed to the defendant.</p> <p>C. Those attorneys appearing on the curator ad hoc list shall be required to accept not less than one appointment per calendar year in a Child in Need of Care and/or Termination of Parental Rights proceeding.</p>
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">FEES FOR ATTORNEYS APPOINTED TO REPRESENT ABSENTEE DEFENDANTS/CURATOR</p> <p>The fee for appointment as attorney to represent an absentee defendant is fixed at the sum of \$250.00 plus court cost unless good cause shown. Litigants desiring the appointment of an attorney to represent an absentee shall deposit the fee in advance with the Clerk of Court, and shall certify to the Court in the order seeking such appointment that the fee has been paid in advance in full. The Court may order an additional fee for the appointed attorney should it be necessary for multiple court appearances or extraordinary efforts to discharge duties pursuant to the appointment.</p>
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	<p>1. The fee for the appointment of an attorney to represent an absentee or a child is fixed at the sum of \$350.00. Litigants desiring the appointment of an attorney shall deposit the fee in advance with the Clerk of Court, and shall certify to the Court in the order seeking such appointment that the fee has been paid in advance in full.</p>

		<p>2. Attorneys appointed after the filing of a Louisiana Civil Code article 102 divorce petition consent to subsequent re-appointment after the filing of the rule to show cause on the same divorce if necessary. The total fee for both appointments shall be \$350.00. Impediments to reappointment shall be brought to the Court's attention at the time of filing of the rule to show cause, and the Court may determine such reappointments are not possible.</p> <p>3. The Court may order an additional fee for the appointed attorney should it be necessary for multiple court appearances, or for extraordinary efforts to discharge duties pursuant to the appointment.</p> <p>4. To receive these appointments, attorneys must register with the Baton Rouge Bar Association Pro Bono Project, and either accept two domestic case referrals annually or commit to serve eight hours of time at the Self-Help Resource Center annually.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>A motion to appoint an attorney to locate and represent the interests of an absentee party does not require a Hearing Officer Conference prior to presentation of an Order to the Judge for appointment. All attorneys who receive appointments pursuant to La. Code Civ. Proc. Art. 5091, et seq. must appear for all scheduled Hearing Officer Conferences, either in person or by pre-arranged telephone conference, and shall appear in open court on the date of all scheduled hearings and make a note of evidence on the record.</p>
24 th J.D.C.	Jefferson Parish	<p>A. The fee for appointment as attorney to represent an absentee defendant is fixed at the sum of \$375.00. Additionally, reasonable costs, such as certified mail and/or advertisement, shall be paid with leave of court. Litigants desiring the appointment of an attorney to represent an absentee shall deposit the fee, at the time of filing the request for appointment, with the clerk of court, and shall certify to the court in the order seeking such appointment that the fee has been paid in full in advance. The court may order an additional fee for the appointed attorney should it be necessary for multiple court appearances or extraordinary efforts to discharge duties pursuant to the appointment.</p> <p>B. Attorneys appointed after the filing of a petition for divorce required by La. C.C. Art. 102 and before the filing of the rule to show cause required by La. C.C. Art. 102 shall be reappointed, if necessary, at the time of the filing of the rule to show cause, unless the court determines such re-appointment is not possible. Impediments to such re-appointments shall be brought to the court's attention at the time of filing of the rule to show cause. Attorneys accepting the initial appointment thereby consent to subsequent re-appointment.</p> <p>C. It is the duty of an attorney appointed to represent a</p>

		<p>defendant who is a non-resident, or absentee, to act in accordance with La. C.C.P. Art. 5093, et. seq. The plaintiff, or counsel, shall furnish to the attorney appointed to represent the absent defendant all information which he or she may have concerning the whereabouts of the absent defendant. All correspondence by an attorney appointed to represent an absentee shall be directed to the absentee by registered or certified mail.</p> <p>D. In all cases for separation and divorce where the defendant resides in a foreign country the government of which is recognized by the government of the United States, the attorney appointed by the court to represent the absent defendant shall, immediately upon his appointment, notify the consul or consular agent of such foreign country, in writing, of the number and title of the suit, the ground(s) of the complaint, the last known address of the absent defendant, and the name and address of the attorney for the plaintiff.</p> <p style="text-align: center;">REQUIREMENTS TO RECEIVE APPOINTMENTS</p> <p>In order to receive an appointment as an attorney for an absentee, an individual must be a member in good standing of the Louisiana State Bar Association.</p>
25 th J.D.C.	Plaquemines Parish	In all cases for separation and divorce where the defendant resides in a foreign country the government of which is recognized by the Government of the United States, the curator appointed by the Court to represent the absent defendant immediately upon his appointment shall notify the consul or consular agent of such foreign country, in writing, of the number and title of the suit, the ground of complaint, the address of the absent defendant, and the name and address of the attorney for the plaintiff.
28 th J.D.C.	LaSalle Parish	The customary fee for an attorney appointed to represent a litigant in a family matter is \$100.00 plus reimbursement of any costs incurred as a result of such appointment. In unusual cases, the court may consider a lesser or greater fee if the circumstances justify such. This shall be done only upon notice and opportunity to respond.
33 rd J.D.C.	Allen Parish	In all matters where an attorney is appointed to represent an absentee defendant or to act as curator, a deposit will be required of \$100.00 at the time of filing of the order making the appointment of the attorney. The fee for the attorney's services is set at \$100.00 and is to be paid from said deposit. The Clerk of Court will disburse the said fee upon order or judgment of the Court.
36 th J.D.C.	Beauregard Parish	In all matters where an attorney is appointed to represent an absentee defendant or to act as curator, a deposit will be required of \$75.00 at the time of the filing of the curator order making the appointment of the attorney. The fee for the

		<p>attorney's services is set at \$75.00 and is to be paid from said deposit. The Clerk of Court will disburse the said fee upon order or judgment of the court.</p>
<p>Civil District Court</p>	<p>Orleans Parish</p>	<p>A. The deposit for appointment as an attorney to represent an absentee defendant is fixed at the sum of \$500.00. Additionally, reasonable costs, such as certified mail and/or advertisement may be reimbursed with leave of Court.</p> <p>B. In any case in which an attorney is requested to represent an absentee defendant, the petition/rule shall contain information as to the last known residence or whereabouts of the defendant. The curator ad hoc shall promptly make diligent effort to locate and contact the defendant either by personal contact or by certified/registered mail with return receipt requested.</p> <p>C. If the absentee defendant can be located or contacted, the curator ad hoc shall inform him of the nature of the proceedings and the date of the hearing/trial. If the absentee defendant cannot be located or contacted, the curator ad hoc shall comply with La. C.C.P. Art. 5095 to protect the rights of the absentee.</p> <p>D. The curator ad hoc shall appear at all hearing/trial dates until discharged. Unless otherwise directed by the Court, the curator ad hoc shall file a Note of Evidence, attaching copies of the letters written to or received from the defendant, proof of publication of any advertisements made, and/or the return receipt of certified/registered letters sent to the defendant.</p>

**APPENDIX 24.5: COURT-SPECIFIC RULES CONCERNING EXTENSIONS OF TIME
TO PLEAD IN FAMILY LAW PROCEEDINGS**

Extensions of time to plead are also addressed in Appendices 3.2 and 9.3, for Titles I and II. The entries below are those from Title IV only.

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING EXTENSIONS OF TIME TO PLEAD IN FAMILY LAW PROCEEDINGS
1 st J.D.C.	Caddo Parish	<p>Any motion for an extension of time shall state:</p> <p>(a) The date on which the defendant or responding party was served;</p> <p>(b) A statement as to whether or not a rule to show cause is pending in the case and, if so, the return date of the rule; and</p> <p>(c) A statement as to whether this motion is the first or subsequent extension requested.</p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p>Any motion for an extension of time shall contain a statement as to whether the motion is for the first, second or subsequent extensions requested.</p>
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p>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.</p>
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	<p>A. Except by written consent of all parties, only one order will be signed ex parte extending the time for pleading and such extension will not be in excess of fifteen days beyond the time allowed by law. However, this rule may be waived by the Court in exceptional cases. Motions and rules for any other extensions or exceptions shall be tried contradictorily by preference.</p> <p>B. After a case has been allotted and except as otherwise provided in the rules, all contradictory hearings shall be held before the judge then presiding over that division.</p> <p>C. 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</p>

		<p>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.</p>
<p>24th J.D.C.</p>	<p>Jefferson Parish</p>	<p>A. Any motion for extension of time shall state:</p> <ol style="list-style-type: none"> 1. The date on which the defendant or responding party was served; 2. Whether a hearing officer conference, commissioner, or district court date is set and, if so, the date and time; and 3. Whether the motion is the first or a subsequent request. <p>B. Every attempt shall be made to hold hearing officer conferences and district court and commissioner hearings and trials on the dates originally set. In the event a motion for extension of time is granted, every attempt shall be made to grant the extension of time for a period which will preserve the hearing officer conference, commissioner and district court dates originally set.</p> <p>C. Except by written consent of all parties, or for good cause shown, only one order will be signed ex parte extending the time for pleading and such extension will not be in excess of thirty (30) days beyond the time allowed by law.</p> <p>D. Motions and rules for any other extensions or exceptions shall be tried contradictorily, with preference.</p> <p>E. Except for emergencies, any ex parte motion, including, but not limited to, a motion for a 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 unusual circumstances, the court shall hear from opposing counsel or litigant before acting on an ex parte motion.</p>

APPENDIX 24.6: COURT-SPECIFIC RULES RESTRICTING THE PREPARATION OF ANSWERS OR OTHER PLEADINGS; PROCEDURE WHEN A SELF-REPRESENTED PARTY HAS FILED AN ANSWER

COURT	PARISHES	COURT-SPECIFIC RULES RESTRICTING THE PREPARATION OF ANSWERS OR OTHER PLEADINGS; PROCEDURE WHEN A SELF-REPRESENTED PARTY HAS FILED AN ANSWER
3 rd J.D.C.	Lincoln and Union Parishes	<p>A. In every suit for a separation from bed and board and/or divorce, the attorney for the plaintiff shall not prepare the defendant's answer, nor in any manner advise or assist in the preparation thereof. In the trial of any case, either upon confirmation of a preliminary default or upon the merits, the Minute Clerk shall record and keep the names of all witnesses who testify, and the testimony of all such witnesses shall be recorded by the official Court Reporter.</p> <p>B. In each separation or divorce case where an answer is filed by the defendant in proper person, the trial may not proceed unless either the defendant is present in court, or the plaintiff shows by competent evidence that the defendant was notified in writing of the date and hour scheduled for the trial, which notice must have been given to defendant not less than ten (10) days prior to the date of the trial.</p> <p>C. In separation and divorce suits on the merits, when issues of alimony, child support, custody and/or visitation are unresolved, the provisions of Rule 23.0 ("Pre-Hearing Exchange of Information"), Rule 29.1 ("Joint Custody Implementation Plans"), Rule 29.2 ("Parenting Classes"), and Rule 29.3 ("Mediation") shall apply.</p>
4 th J.D.C.	Morehouse and Ouachita Parishes	<p>Confirmations of default requiring testimony</p> <p>Except in regard to stipulations of fact, orders or judgments, no matters will be considered in which an attorney has prepared a pleading or document for an unrepresented party opposing his client.</p>
8 th J.D.C.	Winn Parish	<p>In a case where a curator ad hoc is appointed to represent an absent defendant, he may not file an answer before the expiration of 15 days from the date of service is made upon him by the Sheriff or acceptance of service.</p> <p>Any answer or other pleading, either prepared, filed on in any manner directly or indirectly handled, or any advice given by counsel to the party other than the one he represents, will justify the Court in rejecting the demand.</p>
9 th J.D.C.	Rapides Parish	<p>In a case where an attorney is appointed to represent an absent defendant, he may not file an answer before the expiration of</p>

		<p>fifteen days from the date of service is made upon him by the Sheriff or acceptance of service, except in cases where the appointed attorney has communicated with, and has had a reply from, the defendant. .</p> <p>Counsel for the plaintiff shall not prepare an answer for the defendant or assist or advise in its preparation.</p>
26 th J.D.C.	Bossier and Webster Parishes	In all such suits the plaintiff's original petition shall be served by the Sheriff, unless, after suit is filed, the defendant or an attorney appointed to represent him shall personally waive citation before a Deputy Clerk of this Court or a Notary Public other than the attorney for the plaintiff. The attorney for the plaintiff shall not prepare the defendant's answer or other pleading, nor in any manner advise or assist in the preparation thereof, not even if the defendant desires to appear in proper person and requests such action by the attorney.
31 st J.D.C.	Jefferson Davis Parish	In each separation or divorce case where an answer is filed by the defendant in propria persona, the trial may not proceed unless either the defendant is present in Court, or the plaintiff shows by competent evidence that the defendant was notified in writing of the date and hour scheduled for the trial which notice must have been given to defendant not less than ten (10) days prior to the date of trial.
33 rd J.D.C.	Allen Parish	In each separation or divorce case where an answer is filed by the defendant in propria persona, the trial may not proceed unless either the defendant is present in court, or the plaintiff shows by competent evidence that the defendant was notified in writing of the date and hour scheduled for the trial which notice must have been given to defendant not less than ten (10) days prior to the date of the trial.
35 th J.D.C.	Grant Parish	<p>Counsel for the plaintiff shall not prepare an answer for the defendant or assist or advise in its preparation.</p> <p>The defendant shall be served by the sheriff; the plaintiff shall not make service.</p>
36 th J.D.C.	Beauregard Parish	<p>A. Counsel for plaintiff shall not prepare an answer for the defendant or assist or advise in its preparation. An answer signed by the defendant in his proper person may not be filed unless it shows defendant's mailing address thereon.</p> <p>B. Where an answer is filed by the defendant in proper person, the trial may not proceed unless the defendant is either present in court, or it is established that defendant has been notified in writing of the scheduled time for the trial, which notice shall be given by the Clerk of Court to the defendant at the address shown on defendant's answer at least ten days prior to the date of the trial. A copy of the notice of trial shall be filed in the record. The Court may, in its discretion, receive other evidence of notice.</p>

37 th J.D.C.	Caldwell Parish	<p>A. No action on the merits in any separation or divorce proceeding shall be conducted sooner than fifteen (15) days after the filing of the original petition. No domestic case shall be considered on its merits unless based upon formal service of process and citation. Waivers of service and citation will not be recognized by the Court in this type of proceeding.</p> <p>B. All litigants are expected to allege the full date and year of birth of any and all children involved in separation, divorce and custody matters.</p> <p>C. No attorney shall prepare an answer to his own client's petition even in those instances in which the defendant may indicate willingness to appear in proper person and agree to dual representation.</p> <p>D. A curator ad hoc appointed to represent an absent defendant may not file an answer before the expiration of ten (10) days from the date of service, except in cases in which he has communicated with and has a reply from the defendant and he certifies such fact in his responsive pleadings.</p> <p>E. These rules shall in no way limit the Court's authority to issue orders or conduct hearings in reference to preliminary matters such as alimony or child support, custody or property management pendente lite.</p>
39 th J.D.C.	Red River Parish	Any answer, or other pleading, either prepared, filed or in any manner directly or indirectly handled, or any advice given by counsel to the party, other than the one he represents, should be avoided.

APPENDIX 24.7A: COURT-SPECIFIC RULES FOR SCHEDULING HEARINGS AND TRIALS

COURT	PARISHES	<u>COURT-SPECIFIC RULES FOR SCHEDULING HEARINGS AND TRIALS</u>
1 st J.D.C.	Caddo Parish	<p align="center">ARGUMENT DOCKET</p> <ol style="list-style-type: none"> Argument on exceptions, contradictory motions, and rules shall be on Friday. When Friday is a legal holiday, arguments will be scheduled on the following Friday. Scheduling of arguments shall be done by way of the printed forms ("slips") provided by the clerk of court, with a deadline of 2:00 p.m. on the previous Friday. The argument docket shall be fixed at the Monday morning motion hour. The party or counsel filing an exception, contradictory motion, or rule shall file with his pleadings a memorandum of legal authorities and supply opposing counsel and the judge with a stamped copy of the memorandum. At least seventy-two (72) hours prior to the time fixed for the hearing, the opposing party shall file in the record and supply opposing counsel and the judge with a stamped copy of his memorandum of legal authorities. Failure of a party or counsel to comply with this rule will subject him to such appropriate sanction as the court may choose to impose, including the denial of right to oral argument, dismissal of the exception or motion, or other appropriate sanction. <p align="center">RULES TO SHOW CAUSE (INCIDENTAL MATTERS ONLY; NO C.C. 102 DIVORCE RULES)</p> <ol style="list-style-type: none"> All hearings initiated by a rule to show cause, except the rule to show cause hearing required in a C.C. 102 action for divorce, shall be made returnable on Monday or Tuesday. A rule to show cause shall be fixed for hearing only by order of the Court and shall be set no sooner than ten (10) days from the date the order is signed, except as otherwise provided by law. These matters shall be heard on the return date fixed in the Order unless continued by the judge on his own motion or upon the joint motion of all parties or after contradictory hearing on a unilateral motion. In

the event that counsel for both parties agree to continue the hearing once fixed, counsel shall immediately notify the judge that the case is to be removed from the rule docket.

3. Previously continued matters may be re-docketed only by the judge upon presentation of a new written motion or of a joint written motion by all parties filed in the record, unless fixed in open court.
4. Any rule in which a hearing is commenced but not completed on a rule day shall be continued to any subsequent day, at the discretion of the judge.

TITLE IV-D AFDC PATERNITY SUITS

Confirmations of default, consent hearings, rules, and trials on the merits in Title IV-D AFDC paternity suits shall be docketed only on Wednesday. Any contested paternity suit shall be fixed for trial on Wednesday in the manner set forth in Rule Nine for docketing trials. AFDC paternity suits will be heard only by the judge to whom the case is assigned, and will be heard on an alternating monthly basis by the judges assigned to Sections D, E and F.

JUDICIAL COMMITMENTS

Judicial commitment proceedings will be fixed for hearing only on Wednesday commencing at 9:30 a.m., and will be heard on an alternating monthly basis by the judges assigned to Sections D, E and F.

**TRIALS ON THE MERITS AND C.C. 102 DIVORCE
RULE TO SHOW CAUSE HEARINGS**

1. Trials on the merits and rule to show cause hearings for a divorce under C.C. 102 shall be fixed for trial on Thursday, or on another date at the discretion of the judge to whom the case is assigned. No case shall be placed on the docket for trial except by written order of the court granted upon written motion by a party. Said motion (similar to that attached and identified as Exhibit C) shall be signed by the attorney for the mover, who shall certify that counsel for all parties have conferred to determine if the case is ready for trial on its merits, the available trial dates, and if counsel have agreed on the trial date selected. If counsel are unable to agree on a trial date, the judge will fix the trial date after

		<p>consultation with all counsel. No conference is required with any party appearing in proper person.</p> <ol style="list-style-type: none"> 2. It should be understood that in stating that a case is "now ready for trial" and in consenting to a trial date, the attorney also asserts that he/she will be present and prepared for trial on that date; that he/she will have no hearings in any other court or section of court that would present a conflict with the trial of this case. 3. Whenever motion is made to fix a case for trial, the judge may call a pre-trial conference on a date and at a time to be set by him, upon reasonable notice by the judge to all counsel of record. After the pre-trial conference is concluded, the judge may then set the case for trial. If the judge in his discretion believes a pretrial conference is unnecessary or inadvisable, he may set the case for trial without a pre-trial conference. 4. Trials shall be fixed at least two (2) weeks in advance. Subject to the judge's discretion, a trial may be fixed as far in advance as counsel may agree. Cases shall be docketed for trial during the Monday motion hour. Cases will be docketed and heard in the order that they are fixed for trial. 5. The clerk shall prepare a regular trial docket for those cases fixed two weeks in advance and an advance trial docket for those cases fixed three weeks in advance. The clerk shall keep a docket showing the date on which cases are assigned for trial, the docket number and title, and the names of all counsel engaged therein. The regular trial docket and the advance trial docket shall be published by the clerk of court. 6. In any matter in which a litigant is not represented by an attorney of record, notice of the trial date shall be mailed by the clerk of court to the litigant to his address as shown by the record. 		
3 rd J.D.C.	Lincoln and Union Parishes	<p>A. In UNION PARISH unless otherwise specially ordered by the court, the following schedule will be used each month:</p> <table border="1" data-bbox="764 1787 1432 1892"> <tr> <td data-bbox="764 1787 1097 1892">Traffic arraignments and trials, Title 32 Offenses and DWI</td> <td data-bbox="1097 1787 1432 1892">--Tuesdays following the 1st and 3rd Mondays at 9:00 a.m.</td> </tr> </table>	Traffic arraignments and trials, Title 32 Offenses and DWI	--Tuesdays following the 1 st and 3 rd Mondays at 9:00 a.m.
Traffic arraignments and trials, Title 32 Offenses and DWI	--Tuesdays following the 1 st and 3 rd Mondays at 9:00 a.m.			

All misdemeanor arraignments and trials (other than traffic), felony arraignments and motions	--Wednesdays following the 1 st and 3 rd Mondays at 9:00 a.m.
Non-support cases	--Wednesday following the 4 th Monday at 9:00 a.m.
Juvenile	--Thursday following the 1 st Monday at 1:30 p.m.

In LINCOLN PARISH unless otherwise specially ordered by the court, the following schedule will be used each month:

Misdemeanor arraignments, sentences, motions and hearings	--Tuesdays following the 2 nd and 4 th Mondays at 9:00 a.m.
Traffic arraignments, sentences, Title 32 Offenses, motions and hearings	--Tuesdays following the, 2 nd and 4 th Mondays at 1:30 p.m.
Misdemeanor trials	--Wednesdays following the 2 nd and 4 th Mondays at 9:00 a.m.
Traffic trials	--Wednesdays following the 2 nd and 4 th Mondays at 1:30 p.m.
All felony cases	--Fridays following the 2 nd and 4 th Mondays at 9:00 a.m.
Non-support cases	--1 st Monday at 9:00 a.m.
Juvenile cases	--Tuesday following the 1 st Monday at 9:00 a.m.

B. No suit for separation or divorce involving a curator ad hoc contested or uncontested, may be set for trial until at least fifteen (15) days have elapsed from the date on which service of process is made upon the curator ad hoc appointed to represent an absentee defendant.

8 th J.D.C.	Winn Parish	No case will be set for trial on the same day the answer is filed, but will be set at some future open date to be heard as in other cases in the order of its fixing except when answer is filed by curator ad hoc.
10 th J.D.C.	Natchitoches Parish	In a case where a curator ad hoc is appointed to represent an absent defendant, he may file an answer before the expiration of fifteen (15) days from the date of service is made upon him by the Sheriff or acceptance of service, but a trial on the merits cannot be had for fifteen (15) days from service or acceptance.
12 th J.D.C.	Avoyelles Parish	Uncontested proceedings for divorce, including related proceedings for spousal support, custody and child support, in which pleadings have been filed by both parties may be assigned for instanter trial when same is requested by both parties. However, such instanter assignment shall not be sooner than seven calendar days after the filing of the original petition.
14 th J.D.C.	Calcasieu Parish	<p>A. If a matter is contested and the Clerk has received an adequate deposit or bond for costs, a case may be placed on the trial docket at the request of an attorney of record or a party, if not represented, by a written motion presented to the assigned Judge or a written request directed to the Clerk. After such motion or request is made, if the Clerk determines that the deposit or bond is inadequate, he shall so notify the attorneys of record in the case, and the case shall not be placed on the trial docket until an adequate deposit or bond is furnished or unless so ordered by the Court. If an adequate deposit or bond is not furnished within sixty (60) days after notice is mailed by the Clerk, the case shall be dismissed without prejudice, upon contradictory motion filed by any party thereto, if failure to comply with the notice continues to the date of trial of the motion.</p> <p>B. All motions or requests to have a case placed on the trial docket must be accompanied by a statement or certificate of the moving party that they have checked the record and that all answers have been filed and the case is in the proper posture for placing on the trial docket.</p> <p>C. Trials requiring testimony of less than 15 minute duration may be set for trial instanter by joint motion in open court, without the necessity of placing the cases on the trial docket.</p> <p>D. Upon receiving a request for the fixing of a case for</p>

		<p>trial, the Clerk shall immediately forward to all counsel of record and parties, if unrepresented, a notice of the trial date of the suit, together with the appropriate pretrial order.</p>
<p>15th J.D.C.</p>	<p>Acadia, Lafayette, and Vermilion Parishes</p>	<p>All parties must have actual notice not less than 10 days before trial of a rule or on the merits, unless a shorter period of time is provided by law.</p> <p>A matter may be set for trial by either party, after all issues are joined. Counsel shall not submit a motion to set for trial without first making a good faith attempt to reach a mutual agreement with opposing counsel for the date of trial, and for such scheduling order as the parties may agree upon. In such event where mutual agreement is reached, the proposed trial date and scheduling order shall be submitted to the Court for approval.</p> <p>In the event the parties cannot agree regarding a date for trial and/or the appropriate or necessary scheduling order, either party may submit to the Court a Motion to Set for Trial and Request for Issuance of Scheduling Order. The matter may be set for status conference which, at the judge's discretion may be conducted by telephone for the purpose of choosing a trial date, determining an appropriate scheduling order for such matters as amendment of pleadings, discovery cut-off, exchange of witness and exhibit lists and such other matters as the Court may determine or require within its discretion.</p> <p>Notice of the scheduled trial date and any pertinent scheduling orders shall be mailed by the clerk of court to all counsel of record or unrepresented parties.</p> <p>In the event a matter that may be heard as a summary proceeding on rule day requires, or either party anticipates it shall require, the use of extensive witness testimony and/or introduction of exhibits, either party may request that the matter be set for trial on the Court's regular merits docket. The determination of whether such matter shall be set for trial in such manner and the issuance of pertinent pre-trial scheduling orders shall be conducted in the same fashion as set forth above.</p> <p>In any event, in any matter in which witnesses are expected to testify or exhibits introduced, the moving party and/or plaintiff shall provide a witness and exhibit list to opposing counsel seven (7) days prior to the scheduled hearing or trial. The Defending party shall provide a witness and exhibit list to the opposing party</p>

		<p>no less than five (5) days prior to trial.</p> <p>Upon a showing of good cause, with mutual consent, hearings before the Court in divorce proceedings may be held in chambers.</p>
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">RULES, MOTIONS AND EXCEPTIONS</p> <p>Section A.</p> <p>There shall be a regular civil docket which includes Family Docketed cases for the three Parishes in the Eighteenth Judicial District each month.</p> <p>Section B.</p> <p>At the court's discretion, Family Law related matters that will take longer than 30 minutes per side shall be continued to a contested trial date. At the court's discretion and upon mutual agreement of the parties and counsel the matter can be heard in another parish. The attorney shall be responsible for obtaining the record from the clerk and returning same.</p> <p style="text-align: center;">PRE-TRIAL BRIEFS</p> <p>It shall not be necessary to file a pre-trial brief in connection with rules for spousal support or child support, unless there are unusual or complicated issues of law or fact to be considered or unless a party is seeking a deviation from the child support guidelines as set forth in R.S. 9:315, et seq.</p> <p style="text-align: center;">PLEADINGS AND NOTICE</p> <p>Section A.</p> <p>Custody/Visitation Rules</p> <p>See Rule 7, Section 10.</p> <p>Section B.</p> <p>Upon execution of an order by the Court, the Clerk of Court shall issue notice advising all counsel of record, and any unrepresented parties, of the date and time of the conference with the Hearing Officer, and compelling the attendance of the parties at said conference, with or without counsel. Said notice shall be mailed to counsel of record for the party filing the request for custody or visitation, or to the unrepresented party making such</p>

		request, and shall be served upon the defendant-in-rule or respondent at the same time as service of the petition, motion, or rule to show cause.
Family Court for the Parish of East Baton Rouge	East Baton Rouge	<p style="text-align: center;">ASSIGNMENT OF MATTERS</p> <ol style="list-style-type: none"> 1. All rules, motions, and exceptions filed shall be assigned for hearing on a rule day, unless otherwise directed by the Court. 2. All matters not resolved on rule day shall be assigned to contested trial dates, unless otherwise directed by the presiding judge. Assignment of matters to contested trial dates shall be made according to the procedures set forth by the judge of each division as provided in the <i>Pre-Trial Procedures</i> section below. 3. Attorneys or self-represented litigants seeking to pass, dismiss, or resolve their matters shall immediately request that the Court pass the matter so that other matters may be scheduled. 4. Notices of assignment may be sent by the Court as a courtesy to attorneys and self-represented litigants as much as is practicable. These notices do not constitute, and do not take the place of, service of process as provided by law. <p style="text-align: center;">PRE-TRIAL PROCEDURES</p> <ol style="list-style-type: none"> 1. Division A. Attorneys or self-represented litigants must obtain a trial date from the judicial assistant. At the time the trial date is selected, both sides must complete a case management schedule. Pre-trial conferences are scheduled approximately one month prior to the trial date. Pre-trial orders and pre-trial memorandums are not required unless requested by the judge. A second trial setting must be selected, unless the judge indicates otherwise. 2. Division B. Attorneys or self-represented litigants must complete a case management schedule in order to obtain a trial date. The case management schedule assigns a pre-trial readiness conference date and second setting trial date. The case will be assigned a first setting trial date at the pre-trial readiness conference. 3. Division C. After a brief status conference with the judge, attorneys and self-represented litigants must complete a case management schedule setting forth their contested issues, deadlines, and dates to appear in court.

		<p>A pre-trial readiness conference will be set approximately three weeks prior to the trial. The judge will notify both sides if pre-trial memorandums will be required. All sides must comply with the deadlines in the case management schedule and attend pre-trial readiness conferences as required, or the trial date may be passed.</p> <p>4. Division D. Attorneys or self-represented litigants must file and submit pre-trial orders to the staff attorney once they believe their matter is ready for trial. All issues to be heard at the trial on the merits must be specifically pled prior to the matter being set for trial. The pre-trial orders are not required to be joint orders and may be submitted individually. After reviewing the orders, the judge will set the matter for trial if appropriate. If the case is not ready for trial, a conference will be set to move the case toward trial. The division will complete a case management schedule, which will be sent to each side. If feasible, the case will be assigned a second setting or a third setting, if requested, in addition to a first setting. The judge will notify both sides if pre-trial briefs will be required. A pre-trial conference will be scheduled shortly before the trial date.</p> <p>5. The judge for each division may deviate from these procedures if the situation requires.</p> <p style="text-align: center;">CLOSED HEARINGS</p> <p>The Court may order a hearing closed to the public in a case involving child custody in accordance with Louisiana Civil Code article 135, or in its discretion if it finds good cause to close a hearing.</p> <p style="text-align: center;">ATTENDANCE OF WITNESSES</p> <p>1. Attorneys or parties desiring witnesses to be subpoenaed shall submit the names and addresses of such witnesses to the Clerk of Court at least ten days before the date of trial or hearing.</p> <p>2. When an instanter subpoena is necessary, or when other unavoidable circumstances make compliance with the ten-day rule impossible, an attorney or self-represented litigant may submit a letter requesting the subpoena to the presiding judge. The letter shall provide a signature line for the judge to approve the request.</p> <p style="text-align: center;">TRANSPORT OF INCARCERATED PARTIES</p> <p>1. In cases where a party is incarcerated, the party that</p>
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		<p>filed pleadings seeking relief shall be responsible for arranging the transportation of the incarcerated party from the prison or detention center to court. An incarcerated person is responsible for arranging his own transportation to court if he is the party that filed pleadings seeking relief.</p> <p>2. The Court shall order the transportation of parties incarcerated in the East Baton Rouge Parish Prison on its own motion for the domestic violence proceedings described in the <i>Domestic Violence Proceedings</i> section of Appendix 24.2. The presiding judge may authorize the transportation by signing a list of incarcerated parties presented to him for approval.</p> <p>§ 3. Aside from those proceedings described in § 2, the Court may order the transportation of incarcerated persons on its own motion at its discretion.</p> <p style="text-align: center;">ANSWERING THE DOCKET.</p> <p>1. In cases docketed for trial, attorneys shall answer ready by telephone communication to the proper division's judicial assistant by 12:00 p.m. on the court day immediately preceding the scheduled trial day. Attorneys must be present in court on the date and time the case is set.</p> <p>2. In all other cases, attorneys shall answer ready by telephone communication to the proper division's judicial assistant before 4:00 p.m. on the court day immediately preceding their scheduled day in court, or at the scheduled time of the case in open court. Attorneys may also answer the docket by email. However, if the attorney does not receive confirmation of the receipt of the email by the judicial assistant, the answer to the docket shall be confirmed by telephone.</p> <p>3. Attorneys shall be on the fourth floor of the courthouse at the scheduled time of their case. If an attorney is unable to do so, he shall make prior arrangements with the Court and with the opposing side. Further, attorneys shall notify the proper judicial assistant of any other cases pending at the same time in any other division. Failure to check in or appear in court as required herein may cause the case to be stricken from the docket or the hearing may proceed without the presence of the attorney who failed to properly check in or appear in court.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	The following matters shall be set on an expedited basis, as the Court's schedule permits:

		<ol style="list-style-type: none"> 1. Protective Orders 2. Temporary Custody Hearings 3. Rules for Divorce 4. Motions to Compel 5. Exceptions 6. Rules to Terminate the Community 7. Motions to Quash 8. Rules to Show Cause why a Sworn Detailed Descriptive List should not be deemed to constitute a Judicial Determination of Community Assets and Liabilities. 9. Motions for Evaluations 10. Motions for Substance Abuse Testing 11. Any other motion required by law to be set on an expedited basis <p>Rules or motions not listed above may be set by the court on an expedited basis under the following conditions:</p> <ol style="list-style-type: none"> 1. The pleading states good cause for setting the matter on an expedited basis and, 2. The mover certifies in the pleading that the hearing shall not exceed thirty minutes, or this condition is waived by the Court. <p>Matters which qualify to be heard on an expedited basis in Division L may be set on a twice monthly docket designated as the “Rocket Docket”. Matters requested to be set on Division L’s “Rocket Docket” require a certification by the mover that the hearing will not exceed thirty minutes in duration. Other matters may be set on the docket at the discretion of the Division Judge.</p> <p>In both Divisions K and L, all partition trials, and all hearings which are anticipated to last two or more hours, are to be set on a trial docket/special setting.</p> <p>In Division L, all fault trials and final periodic spousal support hearings are also to be set on a trial docket/special setting.</p>
27 th J.D.C.	St. Landry Parish	<p>A. Contested suits for divorce shall be scheduled on the regular civil docket.</p> <p>b. Uncontested suits for divorce may be heard on motion and rule day or morning hour or any other time scheduled by the judge affected.</p> <p>c. In a case where an attorney has been appointed to</p>

		<p>represent an absentee or non-resident, the case shall not be scheduled for a hearing until fifteen days have elapsed from the date of service on the attorney, except in those cases where the appointed attorney has communicated with the defendant and has secured a written reply authorizing the attorney to act sooner.</p>
<p>28th J.D.C.</p>	<p>LaSalle Parish</p>	<p style="text-align: center;">SCHEDULING</p> <p>A. Hearings upon summary matters in family/domestic actions shall be scheduled in the order in which they are received after filing. Such matters shall ordinarily be assigned for hearing upon rule days. In those cases where counsel is aware of the opposing party's counsel, then prior to filing, counsel shall confer with opposing counsel to obtain potential hearing dates which present no conflict in scheduling.</p> <p>B. Trials of ordinary actions and summary matters which are expected to take more than five (5) court hours to present shall be assigned only in connection with a status conference requested pursuant to Rule 9.14.</p> <p>C. Any party may request in writing, or the court on its own motion may order, a La. C.C.P. Art. 1551 scheduling conference between counsel and the court to whom the case has been allotted. A party requesting such a conference must deliver the original and one copy of the request to the clerk of court. The clerk of court shall file the original and one copy of the request to the clerk of court. The clerk of court shall file the original in the suit record, stamp "filed" on the copy, and route the copy to the assigned judge. Within 30 days after receiving a request for a scheduling conference, the court shall schedule a conference for the purpose of addressing those matters as set forth in La. C.C.P. Art. 1551. The scheduling conference may be held by any appropriate means, including in person, by telephone, or teleconference, at the direction of the presiding judge.</p> <p>D. Bench Trials</p> <p>(1) Bench trials shall be set for commencement on Tuesdays of the second, third or fourth weeks of each month, not to be in conflict with criminal jury terms. The selection of which particular week(s) in each month shall depend on the prior selection of Jury weeks.</p>

		<p>(2) Bench trials shall be docketed in the order in which the motion requesting the setting is granted by the judge.</p> <p>(3) In each week that bench trials are set, the entire week (beginning Tuesday) shall be reversed for the bench trials.</p> <p>(4) Any bench trial that has not commenced prior to the end of the week shall be rescheduled for the next bench trial term as a preferential matter.</p> <p style="text-align: center;">RULE DAYS</p> <p>Rule Days shall start with a motion hour. Ordinarily, Rule Days shall be conducted only during non-criminal weeks on Mondays and Thursdays commencing at 9:30 a.m. During criminal weeks and civil jury weeks there will be motion hours only conducted on Thursdays commencing at 9:00 a.m.</p> <p style="text-align: center;">MATTERS SCHEDULED BUT NOT HEARD</p> <p>Whenever practicable, matters should be heard in the order placed on the docket. If the trial of a matter is begun but not concluded before court is adjourned, that trial should take precedence the following day, when practicable.</p> <p>If the court is unable to hear a scheduled matter, the matter whenever practicable should be rescheduled for hearing at the next available date and time.</p>
33 rd J.D.C.	Allen Parish	<p style="text-align: center;">SCHEDULING</p> <p>A. A. A rule addressed to the same subject matter shall not be heard at intervals more frequent than six months, dating from rendition of judgment, except on a showing that an exceptional change in circumstances justifies an earlier hearing. A determination that an earlier hearing is justified may be made in chambers and shall be made by the judge who rendered the last judgment. If allowed filed, this rule shall be heard in accordance with the preceding sections.</p> <p>B. B. For all hearings and non-jury trials, unless excepted herein or the necessity for which has been specifically waived by the judge, comprehensive pre hearing and pre-trial briefs shall be filed with the judge not later than seven days prior to the hearing</p>

		<p>or trial. The filing of a brief in the suit record shall not be permitted.</p> <p>C. C. The provisions of this section shall not apply to criminal cases, uncontested matters, rule to show cause in separation and divorce cases, juvenile court and adoption matters.</p> <p>D. D. In each separation or divorce case where an answer is filed by the defendant in propria persona, the trial may not proceed unless either the defendant is present in court, or the plaintiff shows by competent evidence that the defendant was notified in writing of the date and hour scheduled for the trial which notice must have been given to defendant not less than ten (10) days prior to the date of the trial.</p> <p style="text-align: center;">RULE DAY</p> <p>A. All rules to show cause in separation and divorce cases shall be heard on the date assigned with preference of assignment going to the first rule filed, being the first rule heard until the docket is completed, except that contested custody and visitation rules shall be heard last on rule day in the same order as all other rules.</p> <p>B. When a rule to fix custody or visitation is filed, it will be assigned for the next available docket listing on the next available rule day.</p> <p>If the rule is contested on the date fixed in the Order, when the case is called, a pre-trial conference will be held. If no settlement is agreed upon, the matter will be fixed for trial on the regular trial docket, except when the Court determines an emergency may exist. In such case, the Court may hold a full or limited hearing.</p>
35 th J.D.C.	Grant Parish	No suit for separation or divorce, contested or uncontested may be set for trial until at least fifteen (15) days have elapsed from the date on which service of process is made upon the defendant or upon the curator ad hoc appointed to represent an absent defendant.
36 th J.D.C.	Beauregard Parish	No suit for separation from bed and board or divorce involving a curator ad hoc, contested or uncontested, may be set for trial until at least 15 days have elapsed from the date on which service of process is accepted by or made upon the curator ad hoc appointed to represent an absent defendant.

39 th J.D.C.	Red River Parish	<p>A. No separation or divorce case will be set for trial prior to the expiration of fifteen (15) days of the filing of original petition.</p> <p>B. In a separation or divorce case where a Curator Ad Hoc is appointed to represent an absent defendant, the curator may file an answer before the expiration of fifteen (15) days from the date of service made upon him by the Sheriff, or acceptance of service. Trial of a case in which a Curator Ad Hoc is appointed to represent an absent defendant cannot be heard before fifteen (15) days from the date of service upon the curator.</p>

APPENDIX 24.7B: COURT-SPECIFIC RULES CONCERNING ORDER OF BUSINESS

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING ORDER OF BUSINESS</u>										
1 st J.D.C.	Caddo Parish	<p style="text-align: center;">DOCKET FOR FAMILY LAW SECTIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 5px;">Monday</td> <td style="padding: 5px;">9:30 Motion Hour Consents* Rules (Incidental Matters Only) 1:30 Interim Orders</td> </tr> <tr> <td style="padding: 5px;">Tuesday</td> <td style="padding: 5px;">9:30 Motion Hour Consents* Rules (Incidental Matters Only) 1:30 Interim Orders</td> </tr> <tr> <td style="padding: 5px;">Wednesday</td> <td style="padding: 5px;">9:30 Motion Hour Consents* (Alternatively: Judicial Confirmations* Commitments) Pre-Trial Conferences Title IV-D AFDC Paternity Hearings</td> </tr> <tr> <td style="padding: 5px;">Thursday</td> <td style="padding: 5px;">9:30 Motion Hour Consents* Merits Trials (Includes Art. 102 Divorce Rules to Show Cause, Fault Determination, Permanent Alimony, Partition Suits, etc.)</td> </tr> <tr> <td style="padding: 5px;">Friday</td> <td style="padding: 5px;">9:30 Motion Hour Arguments* Consents* Confirmations*</td> </tr> </table> <p style="margin-top: 10px;">* Set by slip; all other hearings, rules and trials are set by written motion and order.</p> <p style="text-align: center; margin-top: 10px;">PREFERENTIAL SETTINGS</p> <p>The granting of a preferential setting and the date of hearing shall be at the discretion of the judge. Preferential settings shall be fixed by written motion and order only, and the motion shall set forth with particularity the grounds upon which the preference is sought. Once granted, the preferential setting primes all other cases on the rule or trial docket, with the exception</p>	Monday	9:30 Motion Hour Consents* Rules (Incidental Matters Only) 1:30 Interim Orders	Tuesday	9:30 Motion Hour Consents* Rules (Incidental Matters Only) 1:30 Interim Orders	Wednesday	9:30 Motion Hour Consents* (Alternatively: Judicial Confirmations* Commitments) Pre-Trial Conferences Title IV-D AFDC Paternity Hearings	Thursday	9:30 Motion Hour Consents* Merits Trials (Includes Art. 102 Divorce Rules to Show Cause, Fault Determination, Permanent Alimony, Partition Suits, etc.)	Friday	9:30 Motion Hour Arguments* Consents* Confirmations*
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Friday	9:30 Motion Hour Arguments* Consents* Confirmations*											

of a carryover case.

**RULE DAY – ORDER OF MONDAY AND
TUESDAY RULE DOCKET**

1. The order of the rule docket is within the control of the judge, and is generally as follows:

Cases on the rule docket fall in three (3) classes:

(a) CLASS I cases: Writs of habeas corpus and cases in which an initial award of child custody, child support, alimony, or other initial incidental relief is sought.

(b) CLASS II cases: Cases in which an accrual of support, judgment of contempt, or enforcement of a foreign judgment is sought.

(c) CLASS III cases: Cases in which a modification of a prior judgment is sought.

2. Preference will be given to CLASS I, CLASS II, and CLASS III cases in descending order. Cases within a class will be docketed and heard in chronological order commencing with the case bearing the lowest docket number.

3. The designation of the pleading (C.C.P. Art. 853) shall indicate whether the proceeding is a CLASS I, CLASS II, or CLASS III case. If no designation is made, it will be docketed as a CLASS III case.

CONSENT MATTERS (IN COURT)

1. A consent matter in court can be docketed Monday through Friday by tendering to the clerk by 2:00 p.m. on the day preceding the hearing the printed slip provided by the clerk of court for this purpose.

2. In suits for divorce when judgment is sought by consent, a non- reconciliation witness shall not be required, provided the testimony establishes a prima facie case, unless in the opinion of the judge additional witnesses are required for judgment. Corroboration as to the merits shall be required for C.C. 103(2) and (3) divorces.

3. In the event counsel choose to pass a case from the consent docket, counsel shall immediately notify the judge.

3 rd J.D.C.	Lincoln and Union Parishes	<p>A. In UNION PARISH unless otherwise specially ordered by the court, all Civil, Criminal, Juvenile, Traffic and Non-support Court sessions shall start at 9:00 a.m. and shall recess at 5:00 p.m., with the noon recess from 12:00 noon until 1:30 p.m.</p> <p>B. In LINCOLN PARISH unless otherwise specially ordered by the court, all Civil, Criminal, Juvenile and Non-support Court sessions shall start at 9:00 a.m., and shall recess at 5:00 p.m., with the noon recess from 12:00 noon until 1:30 p.m.; all Traffic Court sessions shall start at 1:30 p.m. and shall recess at 5:00 p.m.</p>
14 th J.D.C.	Calcasieu Parish	<p>A. When cases are assigned for trial on the same date in different divisions involving the same trial attorney or attorneys, the following order of preference shall prevail:</p> <ol style="list-style-type: none"> (1) Criminal jury trials; (2) Civil jury trials; (3) Custody, access and/or protective order rules and trials; (4) Criminal bench trials; (5) Civil bench trials; (6) Juvenile trials; (7) Support and ancillary rules; and (8) Criminal motions (exception being motions with statutory time limitations). <p>B. When cases are assigned for trial on the same date in different Family and Juvenile Court divisions involving the same attorney or attorneys, the following order of preference shall prevail:</p> <ol style="list-style-type: none"> (1) Juvenile continued custody hearings and trials (Delinquency, Family in Need of Services, Child in Need of Care); (2) Protective orders; (3) Trials of contested matters (custody, access, support, relocation and community property partitions); (4) Rules; and (5) Hearing Officer Conferences. <p>Once a trial has commenced, it shall take preference over all other proceedings.</p> <p>C. The attorney who has a potential conflict shall immediately notify opposing counsel and the Court.</p>
15 th J.D.C.		ORDER OF BUSINESS

		<p>A. The order of business on Family Docket rule days shall be as follows:</p> <ul style="list-style-type: none">(a) Reading of the minutes;(b) Filing of pleadings;(c) Judgments for signature, and judgments and opinions to be handled by the Court;(d) Motions and assignments of cases for trial;(e) Preliminary defaults;(f) Confessions of judgment, uncontested partitions and other matters except rules not at issue by answer or opposition;(g) Entering judgments of divorce and confirmations of default under C.C. Articles 102 and 103;(h) Trial of rules, exceptions or cases fixed on the docket. <p>In Acadia and Vermilion Parishes, cases to be tried on the merits may be fixed on any day, but on Rule days the order of business set out above and the trial of rules and exceptions shall take preference, except in Lafayette Parish where no cases will be fixed for trial on the merits on Rule days.</p> <p>B. On Family Docket Rule days in any Parish, there shall be a morning hour where confirmations and other uncontested matters may be taken up commencing at 9:00 a.m. until 10:00 a.m., before the Hearing Officer. There will be no court reporter present and no record made of the proceeding. The only record will be a minute entry by the minute clerk. The Hearing Officer shall render a written recommendation, and the parties shall assent or object to the recommendations at the conclusion of the hearing. If either party objects, the matter shall be fixed on the docket of the appropriate division for the matter to be heard de novo. The hearing of rules shall commence at 10:00 a.m.</p> <p style="text-align: center;">RULE DAY</p> <p>A. There shall be a regularly scheduled civil docket for family court cases for the Parishes of Acadia and Vermilion at least once per month.</p> <p>B. The Clerk in any Parish shall fix up to, but not exceeding forty (40) rules, exceptions, motions or other summary proceedings, on each Division's civil rule day docket.</p> <p>C. Family Docket rule days for Division M in Vermilion Parish shall be on Tuesdays, and for Division H shall be</p>
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		<p>on Wednesdays. Family Docket rule days for Division M in Acadia Parish shall be on Wednesdays, and for Division H shall be on Tuesdays.</p>
<p>18th J.D.C.</p>	<p>Iberville, Pointe Coupee, and West Baton Rouge Parishes</p>	<p style="text-align: center;">ORDER OF BUSINESS</p> <p>Section A. Rule Day</p> <ol style="list-style-type: none"> 1. Docket Called; 2. Stipulations; 3. Uncontested matters; 4. Matters requiring argument only; 5. Conferences for settlement purposes in custody/visitation if requested by the Court. 6. Contested matters (conference may be requested when case is called for hearing); 7. All domestic violence petitions shall be heard in the same division handling such cases on a rule day, except as provided by Rule 6, Section 6. <p>Section B. NUMBER OF CASES DOCKETED</p> <p>The maximum number of rules docketed for each rule day shall be thirty, exclusive of domestic violence cases and those cases docketed as extreme emergency matters by the Court.</p> <p>Section C. HOURS OF COURT</p> <p>No cases shall be commenced after 5:30 p.m. Court shall close at 6:00 p.m., and if a case is not completed or if cases remain on the docket untried, such cases shall be carried over to the next available day.</p> <p>Section D. 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> <p>Section E.</p> <p>On Family Docket rule days in any Parish, there shall be a morning hour where confirmations and other uncontested matters may be taken up commencing at 9:00a.m. The hearing of contested rules will commence thereafter.</p>

		<p>Section F.</p> <p>On days other than Rule days in any parish, when matters are regularly fixed for trial on the merits, at the discretion of the presiding Judge, entry of defaults, confirmation of defaults and other uncontested matters in the nature of a confirmation of default, may be taken up fifteen (15) minutes prior to the regularly scheduled court time.</p> <p>Section D.</p> <p>It shall be the responsibility of the attorney bringing a confirmation or uncontested matter before the court that is not fixed on the docket for that day to check out the suit record from the Clerk for submission at the hearing.</p>
<p>Family Court for the Parish of East Baton Rouge</p>	<p>East Baton Rouge</p>	<p>The usual order of business for Open Court sessions shall be as follows, except Rule Day:</p> <ul style="list-style-type: none"> A. Filings of pleadings; B. Preliminary defaults; C. Calling of the docket for the day; D. Confirmation of defaults and uncontested matters; and E. Trial of assigned cases or rules. <p style="text-align: center;">RULE DAY</p> <p>1. The order of business shall be as follows on rule day: 1) docket called; 2) stipulations; 3) matters requiring argument only; 4) matters set for review; 5) Boykin rights; 6) uncontested matters; 7) status conferences; and 8) contested matters.</p> <p>2. Attorneys shall answer the rule docket by telephone communication to the proper division's judicial assistant before 4:00 p.m. on the last court date before the rule day, or at 9:00 a.m. in person in open court on the rule day. Attorneys may also answer the docket by email. However, if the attorney does not receive confirmation of the receipt of the email by the judicial assistant, the answer to the docket shall be confirmed by telephone.</p> <p>3. Attorneys shall be on the fourth floor of the courthouse at 9:00 a.m. on their scheduled rule day. If an attorney is unable to do so, he shall make prior arrangements with the Court and with the opposing side. Further, attorneys shall notify the proper judicial assistant of any other rules pending at the same time in any other division. Failure to check in or appear in court</p>

		<p>as required herein may cause the rule to be stricken from the docket or the hearing may proceed without the presence of the attorney who failed to properly check in or appear in court.</p> <p>4. Should service of a rule be made on the defendant after 12:00 p.m. on the Thursday preceding the assignment date, the defendant or his counsel shall be entitled to a continuance for at least one week upon making a motion to the Court.</p> <p>5. Unless the time for argument is otherwise fixed by the Court, a matter heard on rule day shall be argued and submitted immediately upon the conclusion of the taking of the testimony. The total time fixed for testimony and argument shall be no more than thirty minutes per case, unless extended by the Court.</p>
<p>22nd J.D.C.</p>	<p>St. Tammany and Washington Parishes</p>	<p>A. The Order of business in Division K on Family Court rule days shall be as follows:</p> <ol style="list-style-type: none"> 1. Calling of the Divorce Rule Docket by the Hearing Officer at 9:00 a.m.; 2. Calling of the Division Docket by the Hearing Officer; 3. Calling of the Rule Docket and assignment of pre-trial conferences; 4. Motions, Stipulations and Defaults; 5. Pre-trial conferences; 6. While the Judge is conducting pre-trial conferences, the Hearing Officer shall receive stipulations of uncontested matters and evidence of confirmations of default under La. Civil Code Arts. 102 and 103; 7. Signing Judgments of Divorce in uncontested matters; 8. Trial of rules, exceptions or cases fixed on the docket. <p>B. The Order of business in Division L shall be as follows:</p> <ol style="list-style-type: none"> 1. Rule Days <ol style="list-style-type: none"> a) Calling of the Rule Docket and assignment of pre-trial conferences at 9:30 a.m. unless otherwise noticed; b) Motions and Confirmations; c) Stipulations of uncontested matters; d) Pre-trial conferences; e) Trial of rules, exceptions or cases fixed on the

		<p>docket.</p> <p>2. Rocket Docket Days</p> <ul style="list-style-type: none"> a) Calling of Divorce Rule Docket by the Hearing Officer at 9:00 a.m.; b) Stipulations of uncontested matters; c) Motions and Confirmations; d) Compliance hearings; e) Pre-trial conferences; f) Trial of rules, exceptions, or cases fixed on the docket. <p>3. Attorneys of record and all parties are to be present to answer the docket and appear at the Judge’s pre-trial of all contested cases, beginning at 9:30 a.m. on the day of court, unless otherwise noticed.</p> <p>C. In Uncontested Adoptions, parties and attorneys of record shall be present in court and prepared to proceed on the date and time noticed and assigned for the hearing. The presence of the parties at the hearing may not be waived except with approval of the Judge, and then only upon written request in the form of an affidavit, executed no more than ten (10) days prior to the hearing. The affidavit shall outline the circumstances requiring the parties absence, as well as attesting that the parties’ testimony at the hearing would be substantially the same as the information provided to the State of Louisiana, Department of Children and Family Services, for preparation of the confidential report.</p>
24 th J.D.C.	Jefferson Parish	<p>I. ORDER OF BUSINESS, DOMESTIC HEARING OFFICER CONFERENCES, AND DUTY OFFICERS</p> <p>A. The Order of Business</p> <p>Except in emergencies the court should give cases preference in the following order:</p> <ul style="list-style-type: none"> 1. Any matters, whether criminal, domestic, or civil, seeking injunctive or emergency relief such as expropriations, habeas corpus; 2. Interdiction; 3. Criminal cases; 4. Domestic cases; 5. Non-domestic civil cases. <p>B. Domestic Hearing Officer Conferences</p> <ul style="list-style-type: none"> 1. Domestic hearing officer conferences will normally be

		<p>scheduled on Monday through Friday from 8:00 a.m. to 4:30 p.m.</p> <p>2. Domestic hearing officer conferences will normally be scheduled for one and one half (1½) hours, unless a party or counsel makes a written request for a conference period of up to two hours.</p> <p>3. The hearing officer may, in his or her discretion, schedule additional conferences, hearings, rule dates as necessary.</p> <p>a) If there are complicated or extraordinary issues that will require a longer hearing officer conference, the parties shall notify the hearing officer of this fact at the time the initial pleading is filed. Thereafter, the hearing officer will schedule a longer hearing officer conference to accommodate the issues in the case.</p> <p>b) If the hearing officer determines that there exists a situation which demands immediate attention, the hearing officer may schedule the hearing officer conference at an earlier date at the request of the parties.</p> <p>c) All attorneys shall bring their calendars to the hearing officer conference to facilitate in scheduling additional conferences or rule dates.</p> <p>4. Attendance and participation at hearing officer conferences is mandatory for attorneys and litigants.</p> <p>5. Motions to continue hearing officer conferences are discouraged. Where possible, no hearing officer conference should be continued except within the delays prior to the pre-set date before the district court or domestic commissioner.</p> <p>6. When any matter set before the domestic hearing officer and the district court or domestic commissioner is completely resolved before the hearing date, the mover(s) or their counsel shall immediately notify the hearing officer and the district court or domestic commissioner, in writing, by fax or mail, that the matter has been resolved so that other matters may be set.</p> <p>7. The written recommendation of the hearing officer shall contain all of the following:</p> <p>a) A statement of the pleadings;</p> <p>b) A statement of the findings of fact by the hearing officer;</p> <p>c) A statement as to the findings of law based on the pleadings and the facts, including his or her opinion thereon;</p> <p>d) A proposed judgment.</p> <p>8. Consent Judgments</p>
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		<p>a) Every effort will be made to reduce all agreements reached between the parties at the hearing officer conference to a consent judgment prepared contemporaneously with the hearing officer conference while the parties and their attorneys are present before the hearing officer.</p> <p>i. The hearing officers will make every attempt to prepare these consent judgments for the parties during the hearing officer conference.</p> <p>ii. The court will provide computers and printers to permit counsel of record to prepare these consent judgments before leaving the courthouse at times when the hearing officer is unable to prepare the judgment. The court encourages counsel to prepare these judgments before leaving the courthouse.</p> <p>iii. All consent judgments which have been reduced to writing during the hearing officer conference shall immediately be presented to the domestic commissioner for signature and filed into the record; in any instance in which no domestic commissioner is available, before the duty judge.</p> <p>b) All consent judgments which have not been reduced to writing during the hearing officer conference may be read into the record before the domestic commissioner immediately following the hearing officer conference; in any instance in which the domestic commissioner is unavailable, before the duty judge. Such consent judgments shall be reduced to writing, distributed between counsel and/or unrepresented parties, signed by all counsel of record, and/or parties, and submitted to the domestic commissioner for signature within ten (10) working days of the domestic hearing officer conference. Conflicts between the parties as to the contents of consent judgments shall be addressed by the hearing officer in the manner specified in these rules.</p> <p>c) The domestic commissioner shall establish regular times throughout the day which are convenient to the domestic hearing officers' schedules to address consent judgments, default judgments and stipulations.</p> <p>9. The district court judge shall sign an interim judgment implementing the hearing officer recommendations pending the filing of an objection and hearing before the district court.</p> <p>10. A copy of any written recommendations, orders, rulings, or judgments resulting from the hearing officer conference shall be provided to the parties and their counsel at the time of the conference, if present. Any party who disagrees with a recommendation resulting from the hearing officer conference shall file a written objection. The stipulations contained therein are compromises pursuant to La. C.C. Art. 3071.</p> <p>a) If all parties or counsel are present before the hearing officer, the objection shall be filed within five (5) days from</p>
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		<p>receipt of the recommendation, order, ruling or judgment.</p> <p>b) If neither party nor counsel is present before the hearing officer, the notice of the signed recommendations, orders, rulings or judgment shall be reduced to writing, filed in the record and mailed in conformity with La. R.S.13:717. Any objection shall be filed within five (5) days of receipt of the notice in conformity with La. R.S. 13:717.</p> <p>c) The objection shall be heard by the district judge or domestic commissioner to whom the case is allotted as provided by these rules. The matter shall be heard by the district judge or domestic commissioner as a contradictory hearing wherein the judge or commissioner shall accept, reject, or modify in whole or in part the findings and recommendations of the hearing officer. The district judge or domestic commissioner may receive evidence at the hearing or remand the proceeding to the hearing officer, as set forth in Appendix 32.0B.</p> <p>11. If no written objection is filed with the clerk of court as prescribed in Section E above, the recommendation, order or judgment, shall become a final judgment of the court and shall be signed by a district judge and appealable as a final judgment. The judgment, after signature by a district judge, shall be served upon the parties in accordance with law. The judgment shall be submitted by the party ordered by the hearing officer to do so. The duty to present a final judgment to the district court is incumbent upon the parties.</p> <p>C. Duty Officers</p> <p>Each week one district judge shall act as duty judge. The duty judge shall remain in the courthouse from 9:00 a.m. until 4:00 p.m. except for one and one-half (1½) hour lunch break. The duty judge should handle all matters on the domestic docket which would regularly be handled by the district judge to whom a case is allotted, in instances in which the district judge to whom a case is allotted is truly unavailable. Truly unavailable means not in the courthouse.</p> <p style="text-align: center;"><u>24th JDC – Comment</u></p> <p>The language “and participation” that appears in this Appendix is new. It was adopted August 30, 2006. It became effective on January 1, 2007.</p> <p>II. RULE DAY</p> <p>It is the goal of the 24th Judicial District Court that each district judge hold an aggregate of two domestic rule days per month and an aggregate of one domestic trial week per month.</p> <p>III. MATTERS RESOLVED PRIOR TO A SCHEDULED HEARING DATE</p>
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		<p>When any matter set before the district court, the domestic commissioner, or the domestic hearing officer, is completely resolved before the hearing date, mover(s) or their counsel shall immediately notify the district court, domestic commissioner and/or the hearing officer that the matter has been resolved.</p>
28 th J.D.C.	LaSalle Parish	<p>To provide for the expeditious administration of justice, the court will, where practicable, maintain the following order of business:</p> <ul style="list-style-type: none">(a) Uncontested matters, including preliminary defaults.(b) The trial of motions or exceptions that do not require the testimony of witnesses.(c) The trial of motions or exceptions that require the testimony of witnesses.(d) Trials on the merits.

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	<p>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.</p> <p>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. Once the order is signed, the attorney(s) and any unrepresented party shall notify the office of the Hearing Officer in writing of the signing.</p>
16 th J.D.C.	St. Mary, Iberia, and St. Martin Parishes	<p style="text-align: center;">HEARING OFFICER CONFERENCE</p> <p>If one party does not provide the necessary information for the Hearing Officer to make a determination as to the issues before the Court, then the Hearing Officer will have the discretion to render a Hearing Officer Conference Report based on the information provided by the other party, or such other relief as is appropriate under the circumstances, including continuing the Hearing Officer Conference and the scheduled Court date, if the failure to provide documentation is attributable to the party seeking relief from the Court. This interim recommendation shall be without prejudice and shall not affect the retroactivity of the claims of either side.</p>
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.

<p>22nd J.D.C.</p>	<p>St. Tammany and Washington Parishes</p>	<p>A. Hearings (see Section B for hearing officer conference continuances)</p> <p>1. Uncontested Continuances</p> <p>A continuance shall be granted if grounds exist as set out in La. Code Civ. Proc. Art. 1602.</p> <p>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> <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</p>
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		<p>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> <p>If parties request a continuance of their Hearing Officer Conference date, this may result in a continuance of their Rule date, depending on availability on the Hearing Officer docket. If parties mutually agree to continue a scheduled Hearing Officer Conference and Rule date, the attorneys of record and any unrepresented party shall sign and file an Appendix 24.8B <i>Uncontested Motion To Continue</i> form and comply with the other requirements of this Appendix.</p> <p>2. Contested Continuances</p> <p>A copy of a contested Motion to Continue that would continue a scheduled Hearing Officer Conference and Rule date shall be provided to the Hearing Officer at facsimile number (985) 809-5398 at or before the time it is filed with the Clerk of Court. If an order continuing the Conference and Rule date is signed, the attorneys and any unrepresented party shall notify the Hearing Officer Coordinator at telephone number 985-809-5306. All parties and their attorneys must appear for the assigned Hearing Officer Conference and Rule date unless the Order for Continuance has been signed or approved by the Judge.</p> <p>Lack of/or incomplete discovery responses or the fact that an attorney was recently retained are not automatic grounds for a continuance of the Hearing Officer Conference. Continuances will be evaluated on the merits on a case-by-case basis.</p> <p>If the written Motion to Continue is not signed or approved by the Division Judge prior to the Hearing Officer Conference, and if the moving party fails to appear for the scheduled Hearing Officer Conference, the Hearing Officer may recommend that the pending rule or motion be dismissed.</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</p>

		<p>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> <p>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.</p> <p>2. Whenever possible, hearing officer conferences shall be reset only within the period prior to the date set before the district court.</p> <p>3. Hearing officer conferences shall not be continued without date unless the case is being dismissed, except for good cause.</p> <p>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.</p>
33 rd J.D.C.	Allen Parish	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.
Civil District Court	Orleans Parish	<p>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.</p> <p>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-by-case basis.</p> <p>C. If the case is continued, it is the responsibility of the attorney or litigant who sought the continuance to notify all parties and witnesses that the case will not be heard on the assigned day.</p>

APPENDIX 24.8B: UNCONTESTED MOTION TO CONTINUE

UNCONTESTED MOTION TO CONTINUE

Petitioner
versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

This matter comes before the court on Motion to Continue filed by:

Plaintiff/Mover

Attorney for Plaintiff/Mover

Defendant/Respondent

Attorney for Defendant/Respondent

CHECK ONE

The following parties join in this Motion to Continue: _____

OR

The following parties have been contacted and inform Mover they have no opposition to this Motion to Continue: _____

The following matters are set for hearing and require a continuance:

CHECK ALL THAT APPLY

Type of Hearing Set	Current Date Set	
<input type="checkbox"/> Motion	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Temporary Custody Hearing	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Hearing Officer Conference	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Rule Date	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Special Setting Date/Trial Docket	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Scheduling Conference	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Other (Please specify _____)	___/___/20___	___ a.m./p.m.

Mover/s request that the matters listed above be continued based upon the following:

CHECK ONE

- Mover has been unable, with the exercise of due diligence, to obtain evidence material to their case, La. C.C.P. Art. 1602.
- A material witness has absented himself without the contrivance of the party applying for the continuance, La. C.C.P. Art. 1602
- Good grounds exist under La. C.C.P. Art. 1601.

The specific reason for the continuance is as follows:

The matter requested to be continued was originally filed on ___/___/20___.

The matter requested to be continued has been previously continued ___ times, by the following parties:

	Number of Continuances Granted
<input type="checkbox"/> Mover	_____
<input type="checkbox"/> Joint Motion of All Parties	_____
<input type="checkbox"/> Opposing party	_____
<input type="checkbox"/> By the Court/Hearing Officer	_____

Are temporary orders in effect?

- Yes (Briefly List) _____
- No

Do all parties consent to the current temporary orders being continued until the new assigned court date?

Yes No, Reason _____

CHECK ALL THAT APPLY

The proposed new Hearing Officer date is ___/___/20___. The new Hearing Officer Conference date has been approved by the Hearing Officer Coordinator and approved by all parties.

The proposed new hearing date before the Judge is ___/___/20___. The proposed new date has been assigned by the Judge's Minute Clerk and has been approved by all parties.

Request to continue without date is made, based upon the following extraordinary circumstances: _____

If a matter set for hearing is a request for temporary custody or another matter with time limits set by law for hearing, the delay for setting the hearing of the matter is specifically waived.

CERTIFICATION OF MOVER'S ATTORNEY

As attorney of record, I certify that the representations made herein are true and correct to the best of my knowledge, and my client has knowledge of the filing of this motion and of the reasons for the requested continuance, and I acknowledge that upon receipt of a filed copy from the clerk's office, a copy will be forwarded to my client.

Dated ___/___/20__

Attorney for Mover

(Sign and print name)

(Address)

(Telephone/Bar Roll No.)

OR

CERTIFICATION OF SELF-REPRESENTED PARTY

I hereby certify that all statements made herein are true and correct to the best of my knowledge.

Dated ___/___/20__

Self-Represented Party

(Sign and print name)

(Address/Telephone No.)

ORDER

**CONSIDERING THE ABOVE AND FOREGOING MOTION,
IT IS HEREBY ORDERED THAT:**

The Hearing Officer conference presently set herein for ___/___/20__ is continued until ___/___/20__, at ___ a.m./p.m.

The hearing before the Court presently set on ___/___/20__ is continued until ___/___/20__, at ___ a.m./p.m.

The Motion to Continue is denied.

A scheduling conference is set before the Judge on ___/___/20__, at ___ a.m./p.m.

The Motion to Continue is set for hearing before the Court on ___/___/20__, at ___ a.m./p.m.

SIGNED in Open Court/ Chambers in _____, LA the ___ day of _____, 20__.

JUDGE, DIVISION _____

APPENDIX 24.8C: CONTESTED MOTION TO CONTINUE

CONTESTED MOTION TO CONTINUE

Petitioner
 versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

This matter comes before the court on Motion to Continue filed by:

Mover

Attorney for Mover

The party contesting/not responding (*Circle one*) to the requested continuance:

Opposing party

Attorney for Opposing party

The following matters are set for hearing and require a continuance:

- | CHECK ALL THAT APPLY | Current Date Set |
|--|----------------------------|
| <input type="checkbox"/> Motion | ____/____/20____ a.m./p.m. |
| <input type="checkbox"/> Temporary Custody Hearing | ____/____/20____ a.m./p.m. |
| <input type="checkbox"/> Hearing Officer Conference | ____/____/20____ a.m./p.m. |
| <input type="checkbox"/> Rule Date | ____/____/20____ a.m./p.m. |
| <input type="checkbox"/> Special Setting Date/Trial Docket | ____/____/20____ a.m./p.m. |
| <input type="checkbox"/> Scheduling Conference | ____/____/20____ a.m./p.m. |
| <input type="checkbox"/> Other (Please specify _____) | ____/____/20____ a.m./p.m. |

Please describe the matters set for hearing requiring a continuance:

Mover requests that the matters listed above be continued based upon the following:

- CHECK ALL THAT APPLY
- Mover has been unable, with the exercise of due diligence, to obtain evidence material to their case, La. C.C.P. Art. 1602.
 - A material witness has absented himself without the contrivance of the party applying for the continuance, La. C.C.P. Art. 1602
 - Good grounds exist under La. C.C.P. Art. 1601.

The specific reason for the continuance is as follows:

The matter requested to be continued was originally filed on ____/____/20____.
The matter requested to be continued has been previously continued ____ times, by the following parties:

- | | Number of Continuances Granted |
|---|--------------------------------|
| <input type="checkbox"/> Mover | _____ |
| <input type="checkbox"/> Opposing party | _____ |
| <input type="checkbox"/> Joint Motion of All Parties | _____ |
| <input type="checkbox"/> By the Court/Hearing Officer | _____ |

Are temporary orders in effect?
 Yes (Briefly List) _____

 No _____

Do all parties consent to the current temporary orders being continued until the new assigned court date?

Yes No, Reason _____

Request to continue without date is made, based upon the following extraordinary circumstances: _____

If a matter set for hearing is a request for temporary custody or another matter with time limits set by law for hearing, the delay for setting the hearing of the matter is specifically waived.

CERTIFICATION OF MOVER'S ATTORNEY

As attorney of record I certify that the representations made herein are true and correct to the best of my knowledge, and my client has knowledge of the filing of this motion and of the reasons for the requested continuance, and I acknowledge that upon receipt of a filed copy from the clerk's office, a copy will be forwarded to my client.

Dated ___/___/20___

Attorney for Mover

(Sign and print name)

(Address)

(Telephone/Bar Roll No.)

OR

CERTIFICATION OF SELF-REPRESENTED PARTY

I hereby certify that all statements made herein are true and correct to the best of my knowledge.

Dated ___/___/20___

Self-Represented Party

(Sign and print name)

(Address/Telephone No.)

ORDER

**CONSIDERING THE ABOVE AND FOREGOING MOTION,
IT IS HEREBY ORDERED THAT:**

- A status conference is set before the Judge on ___/___/20___, ___ a.m./p.m.
- The Motion to Continue is set for hearing before the Court on ___/___/20___, ___ a.m./p.m.
- The Motion to Continue is hereby *granted* and
 - The hearing is continued to ___/___/20___, at ___ a.m./p.m.
 - The matter is set for a status/scheduling conference on ___/___/20___, at ___ a.m./p.m.
- The Motion to Continue is hereby *denied*.

SIGNED in Open Court/ Chambers in _____, LA the ___ day of _____, 20___.

JUDGE, DIVISION _____

APPENDIX 24.9: COURT-SPECIFIC RULES CONCERNING DISCOVERY

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING DISCOVERY</u>
14 th J.D.C.	Calcasieu Parish	<p>A. Interrogatories under La. C.C.P. Art. 1421 and the answers thereto, Requests for Production or Inspection under La. C.C.P. Art. 1421, Requests for Admissions under La. C.C.P. Art. 1421, and responses thereto, shall be served upon other counsel or parties, but shall not be filed with the Court, unless a Judge of either Family and Juvenile Court orders that such be filed. The party responsible for service of the discovery material shall retain the original and become the custodian of any such non-filed materials.</p> <p>B. Without leave of Court, no party shall serve on any other party more than thirty five (35) interrogatories in the aggregate. Each sub part of an interrogatory shall count as an interrogatory. Any party desiring to serve additional interrogatories shall file a written motion setting forth the proposed additional interrogatories and the reasons establishing good cause for their use.</p> <p>C. If relief is sought under La. C.C.P. Art 1469, concerning any interrogatories, requests for production or inspection, requests for admission under La. C.C.P. Art 1467, the answers to interrogatories, copies of the portions of interrogatories, requests, answers or responses in dispute, shall be filed with the Court contemporaneously with any motion filed under said articles.</p> <p>D. If interrogatories, requests, answers or responses are to be used at trial are necessary to a pretrial motion which might result in a final order on any issue, the portions to be used shall be filed with the Clerk at the outset of the trial or at the filing of the motion insofar as their use can be reasonably anticipated.</p> <p>E. This rule shall not be construed so as to preclude the filing of any of the aforesaid discovery materials as exhibits or as evidence in connection with a motion or at a trial.</p> <p>F. When documentation of discovery not previously in the record is needed for appeal purposes, upon an application and order of the Court, or by stipulation of counsel, the necessary discovery papers shall be filed with the Clerk.</p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p align="center">DISCOVERY MOTIONS</p> <p>Prior to filing a motion to compel discovery, or any other discovery motion, counsel for the filing party shall first attempt to resolve the matter with opposing counsel and shall request a conference (which may be by telephone) for that purpose. Opposing counsel shall participate in said conference. Any party filing a discovery motion shall certify to the Court that said conference took place and the parties were unable to resolve the dispute, or shall identify the efforts made to schedule such conference.</p>

		<p style="text-align: center;">DEPOSITIONS</p> <p>Prior to noticing a deposition, whether of a party or non-party witness, counsel seeking the deposition shall first contact opposing counsel to make a good faith attempt to clear an available date and time. Failure to contact, or make reasonable effort to contact opposing counsel prior to noticing a deposition may be grounds to quash the notice and any subpoena issued Amended effective in conjunction therewith.</p>
<p>Family Court for the Parish of East Baton Rouge</p>	<p>East Baton Rouge</p>	<p style="text-align: center;">MOTIONS TO COMPEL</p> <p>1. Before filing any motion to compel discovery, the moving party or attorney shall confer in person or by telephone with the opposing party or counsel for the purpose of amicably resolving the discovery dispute. The moving party or attorney shall attempt to arrange a suitable conference date with the opposing party or counsel and confirm the date by written notice sent at least five days before the conference date, unless an earlier date is agreed upon or good cause exists for a shorter time period. If by telephone, the conference shall be initiated by the person seeking the discovery responses.</p> <p>2. No counsel for a party shall file, nor shall any clerk set for hearing, any motion to compel discovery unless accompanied by the appropriate certificate of conference as set forth below:</p> <p style="text-align: center;"><i>If discovery conference is held:</i></p> <p>I, the undersigned party or attorney, certify to the court as follows: The parties or counsel personally conducted a conference on [insert date]. At this conference, there was a substantive discussion of every item presented to the court in this motion and, despite their best efforts, the parties or counsel were unable to resolve the matters presented.</p> <p style="text-align: right;">Certified this ____ day of _____, 20__.</p> <p style="text-align: center;">_____ Signature of Party or Attorney</p> <p style="text-align: center;"><i>If discovery conference is not held:</i></p> <p>I, the undersigned party or attorney, certify to the court as follows: The moving party or counsel has personally attempted to contact the respondent or counsel to arrange a conference to resolve the matters presented in this motion as follows: [Insert dates, times, methods of contact, and results here.] Respondent or counsel has failed to respond or failed to confer in good faith in an attempt to resolve the matters presented.</p> <p style="text-align: right;">Certified this ____ day of _____, 20__.</p>

		<p style="text-align: center;">_____ Signature of Party or Attorney</p> <p>3. If the Court finds that the parties or counsel have failed to confer in good faith, or have willfully failed to confer, the Court may impose, at its discretion, sanctions on the non-conferring party, including attorney fees and costs.</p>
24 th J.D.C.	Jefferson Parish	<p style="text-align: center;">GENERAL PROVISIONS GOVERNING DISCOVERY</p> <p>A. All discovery shall be conducted in conformity with Louisiana Code of Civil Procedure Chapter 3, Art. 1420 et seq. which are incorporated herein by reference.</p> <p>B. All discovery shall, until Uniform Louisiana Family and Domestic Relations Rules are codified, conform to Louisiana Uniform District Court Rules 10.00 et seq. which are incorporated herein by reference.</p> <p style="text-align: center;">INTERROGATORIES</p> <p>A. Discovery requests propounded pursuant to La. C.C.P. Art. 1420, et seq. shall be served upon opposing counsel or parties, but shall not be filed with the court, unless a domestic hearing officer, domestic commissioner or district judge orders that such be filed, or said discovery pleadings become the subject of a motion or rule or an exhibit. The party responsible for service of the discovery material shall retain the original and become the custodian of any such non-filed materials.</p> <p>B. During an entire proceeding, written interrogatories served in accordance La. C.C.P. Art. 1457 shall not exceed thirty-five (35) in number, including subparts, without leave of court.</p> <p>C. If relief is sought pursuant to La. C.C.P. Art. 1469, concerning discovery which has been propounded, copies of the discovery requests in issue and responses, if any, shall be filed with the court contemporaneously with the filing of any such motion.</p> <p style="text-align: center;">DISCOVERY MOTIONS</p> <p>Before filing any discovery motion, the moving party must comply with Rule 10.1 of the Uniform Louisiana District Court Rules.</p> <p style="text-align: center;">THE MANNER IN WHICH DISCOVERY MOTIONS SHALL BE ADDRESSED BY THE COURT</p> <p>A. At the time a discovery motion is filed in which an issue exists which is within the authority and responsibility of both the district court and the domestic commissioner, the clerk of court shall endeavor to set the matter on the docket of the domestic commissioner in not less than thirty (30) nor more than thirty-five (35) days of filing where an earlier date is not required by law, or within the delays allowed by law, if shorter. Discovery motions may be heard on an earlier date if both parties and the domestic commissioner are available and notice and delays are waived.</p>

B. At the time a discovery motion is filed, the clerk of court shall also endeavor to set a hearing date before the district division to whom the case was allotted in not less than forty (40) nor more than fifty-five (55) days following the filing of the original discovery motion, unless a shorter period is required by law, then within the delays required by law. The objection may be heard on an earlier date if both parties and the district judge are available and notice and delays are waived.

C. A party shall have five (5) days from the receipt of the order, ruling, or judgment of the domestic commissioner to file a written objection to said order, ruling or judgment in conformity with 24th JDC Appendix 32.0B.

D. Notice of the order, ruling, or judgment of the domestic commissioner shall be given to all parties as provided in 24th JDC Appendix 32.0B.

E. If no written objection is filed with the clerk of court as prescribed above, the order, ruling, or judgment of the domestic commissioner shall become a judgment of the court and shall be signed by a district judge. The judgment after signature by a district judge shall be served upon the parties in accordance with the law. The duty to present a final judgment to the district court is incumbent upon the parties.

CHILD SUPPORT WORKSHEET

A. The parties may conduct discovery on the child support and spousal support issues as permitted by the Louisiana Code of Civil Procedure and jurisprudence.

B. Child Support shall be calculated and established pursuant to La. R.S. Art. 9:315, et seq.

NOTICE AND EXCHANGE OF INFORMATION: CHILD SUPPORT PURSUANT TO HEARING OFFICER PROCEEDING

A. Discovery shall be conducted in accordance with the Louisiana Code of Civil Procedure and the 24th JDC rules in this Appendix.

B. The court shall assess fees in conformity with La. R.S. 46:236.5(B).

APPENDIX 24.10: COURT-SPECIFIC RULES CONCERNING SETTING OF PRE-TRIAL CONFERENCES

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING SETTING OF PRE-TRIAL CONFERENCES</u>
1 st J.D.C.	Caddo Parish	Pre-trial conferences are not mandatory, but may be scheduled in individual cases by the judge, either on his own motion or on request of a party.
5 th J.D.C.	Franklin, Richland, and West Carroll Parishes	<p>A. Original Fixing. Unless dispensed with by the Court in advance, the mover in a contested domestic relations case shall attach to the initial pleading an order and a fixing form setting a Pre-Trial Conference before the judge to whom the case has been divisioned. The judge will then set a date for the Pre-Trial Conference, which may be the next regularly-scheduled civil motion hour for that division in the parish where the case is pending. At the Pre-Trial Conference, the Court shall determine whether a hearing on the rule to show cause or trial on the merits is necessary, and if so, fix a trial date and may fix a Hearing Officer Conference. The Court may also issue an Interim Order to be in effect until the Hearing Officer Conference (if scheduled) or trial.</p> <p>B. Pre-Trial Conference. At the Pre-Trial Conference, the Court may set the case for a Hearing Officer Conference, to take place at least ten (10) days before the hearing on the Rule to Show Cause or trial on the merits.</p>
14 th J.D.C.	Calcasieu Parish	<p>A. Upon request of either party, or at its own direction, the Court may order the attorneys for the parties to appear before it for a pretrial conference to consider the following:</p> <ol style="list-style-type: none"> (1) The simplification of the issues; (2) The necessity or desirability of amendments to the pleadings; (3) The possibility of obtaining admissions of fact and agreements on the admissibility of documents which will avoid unnecessary proof; (4) The limitation of the number of witnesses, lay and expert; and (5) Such other matters as may aid in the disposition of the action. <p>B. During such conferences, the parties are expected to disclose their respective positions and to stipulate as to all matters not at issue. The Court shall cause such</p>

		<p>stipulations to be placed on the record to conserve time at trial. The parties at pretrial conferences shall likewise be required to state objections or lack thereof to any exhibit, document, photograph or other such evidence which another party to the suit proposes to offer in evidence.</p> <p>C. At pretrial conferences, the Court, in its discretion, may seek to advise and assist the parties to a voluntary resolution of their differences.</p> <p>D. The Court should not be expected, at any stage of the proceedings, to force any compromise upon reluctant counsel or parties, but it is the intent of this rule to expedite final and just disposition of all cases. Consequently, counsel shall be expected to appear at pretrial conferences knowing what authority, if any, their respective client will grant with respect to resolving the differences between the parties. If there is any reasonable prospect of compromise, counsel are expected to exert reasonable efforts to that end prior to and during pretrial conferences, and not wait until it is too late for the Court to otherwise utilize the time set aside for the trial of the case.</p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p style="text-align: center;">REQUEST</p> <p>Either party may request a pre-trial conference or status conference. It shall be within the Court's discretion as to whether such conference shall be conducted. If a party desires a pre-trial or status conference, the requesting party shall obtain available dates and times from the judge's office. Once available dates and times are obtained, the requesting party shall confer with the other party to agree upon a mutually convenient time and the issues to be discussed. The requesting party shall fax a letter to the Judge stating that he has conferred with the opposing party. The letter shall also set forth the date and time of the conference and the issues to be discussed. The judge's office shall fax a confirmation to all parties.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>A) Status Conferences</p> <p>It shall be within the Division Judge's discretion whether a status conference shall be scheduled. If a party desires a status conference, they shall fax a letter to the Judge's office stating that they have conferred with all opposing parties and all have agreed to a status conference. The letter shall set forth the issues to be discussed. The attorneys shall confirm with the Judge's</p>

		<p>office whether the status conference is to be held and whether their appearance is to be by telephone or they are to personally appear before the Judge.</p> <p>B) Scheduling Conferences</p> <p>Either party or the parties by joint motion shall file a motion to set for trial or a motion for a scheduling conference. Upon written request made in advance and at the discretion of the trial judge, parties and/or attorneys may participate at the scheduling conference by telephone. Upon conclusion of the scheduling conference, a case management scheduling order will be prepared and will be forwarded to the parties or their counsel within three business days after the scheduling conference.</p>
<p>24th J.D.C.</p>	<p>Jefferson Parish</p>	<p style="text-align: center;">REQUEST FOR PRE-TRIAL CONFERENCE IN FAMILY LAW PROCEEDINGS</p> <p>A. Pre-trial conferences, scheduling, and status conferences are not mandatory, but may be scheduled in individual cases by the judge, or the domestic commissioner as to matters within his or her areas of responsibility, either on the judge or commissioner's own motion or on request of a party in conformity with La. C.C.P. Art. 1551. The domestic hearing officer, domestic commissioner, or district judge may, at his or her discretion, order that a pre-trial order or a memorandum of fact or law be prepared for submission prior to any motion, rule, hearing, trial, or conference.</p> <p>B. The following matters may be considered at the pre-trial, scheduling or status conference in conformity with La. C.C.P. Art. 1551.</p> <ol style="list-style-type: none"> 1. The simplification of the issues, including the elimination of frivolous claims or defenses; 2. The necessity or desirability of amendments to the pleadings; 3. What material facts and issues exist without substantial controversy, and what material facts and issues are actually in good faith controverted; 4. Proof, stipulations regarding the authenticity of documents, and advance rulings from the court on the admissibility of evidence;

		<ul style="list-style-type: none">5. Limitations or restrictions on or regulation of the use of expert testimony under La. Code of Evidence Art. 702;6. The control and scheduling of discovery;7. The identification of witnesses, documents, and exhibits; conference may likewise be required to state objections or lack thereof to any exhibit, document, photograph, or other such evidence which another party to the suit proposes to offer in evidence.8. Such other matters as may aid in the disposition of the action. <p>C. During such conferences, the parties are expected to disclose their respective positions and to stipulate as to all matters not at issue. The court or commissioner shall cause such stipulations to be placed on the record to conserve time at trial or hearing. The parties at such conference may likewise be required to state objections or lack thereof to any exhibit, document, photograph, or other such evidence which another party to the suit proposes to offer in evidence.</p> <p>D. At such conferences, the court or commissioner, in its discretion, may seek to advise and assist the parties to achieve a voluntary resolution of their differences.</p> <p>E. The court or commissioner should not be expected, at any stage of the proceedings, to force any compromise upon reluctant counsel or parties. Counsel are expected to appear at conferences knowing what authority, if any, their respective client will grant with respect to resolving the differences between the parties. If there is any reasonable prospect of compromise, counsel are expected to exert reasonable efforts to that end prior to and during such conferences.</p> <p>F. The court or commissioner, within the areas of his or her responsibility, may require counsel for the parties to confer in advance of the conference for the purpose of arriving at all possible stipulations, exchanging copies of all documents which may be offered in evidence at the trial or hearing, preparing a list of names and addresses of all witnesses (except those to be used for impeachment or rebuttal) who will or may testify at the trial, and for the further purpose of preparing for</p>
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		<p>submission to the court or commissioner a pre-trial order.</p> <p>G. If a party’s attorney fails to obey a pre-trial order, or to appear at the pre-trial, scheduling or status conference, or is substantially unprepared to participate in the conference or fails to participate in good faith, the court, or commissioner, on its own motion or on the motion of a party, after hearing, may make such orders as are just, including orders provided in La. C.C.P. Art. 1471 (2), (3), and (4). In lieu of or in addition to any other sanction, the court may require the party or the attorney representing the party or both to pay the reasonable expenses incurred by noncompliance with this paragraph, including attorney fees.</p> <p>H. The judge or commissioner, as to matters within his or her area of responsibility, shall render an order which recites the action taken at the conference. Such order controls the subsequent course of the action, unless modified at the trial to prevent manifest injustice.</p> <p style="text-align: center;">SCHEDULING CONFERENCES IN FAMILY LAW PROCEEDINGS</p> <p>A. A party requesting a pre-trial, scheduling or status conference must deliver the original and one copy of a motion to the clerk of court. The clerk of court shall file the original in the suit record, and route the copy to the judge or commissioner as to matters which are within the commissioner’s area of responsibility.</p> <p>B. The court or domestic commissioner, as to matters within his or her area of responsibility, shall set the conference at a time when the court or commissioner and both parties are available.</p> <p>C. Notice of the date of the conference shall be mailed by the court or commissioner, where appropriate, to all counsel of record. The notice shall contain information about the pre-trial order if the court or commissioner requires that one be filed.</p> <p>D. The conference may be held by any appropriate means, including in person, by telephone, or teleconference, at the direction of the court or commissioner where appropriate.</p>
28 th J.D.C.	LaSalle Parish	A request for a pre-trial status conference shall be made for all contested ordinary matters and any summary

		matters which are expected to take more than five (5) court hours. A request for pre-trial status conference in other summary matters may be made orally at any time up to one half hour before the scheduled hearing. Early, before the day of hearing request, are encouraged.
40 th J.D.C.	St. John the Baptist Parish	Any party who desires a date for trial on the merits shall request a status conference before requesting a trial date in all cases except successions, collection cases, domestic matters (except partitions), and uncontested matters. Exceptions to this rule may be made by the individual judges depending on the nature or seriousness of the case. Pre-trial conferences may be scheduled at the discretion of the judge.

APPENDIX 24.11: COURT-SPECIFIC RULES CONCERNING HEARINGS IN CHAMBERS IN FAMILY LAW PROCEEDINGS PURSUANT TO LA. R.S. 9:302

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING HEARINGS IN CHAMBERS IN FAMILY LAW PROCEEDINGS
1 st J.D.C.	Caddo Parish	<p style="text-align: center;">JUDGMENT OF DIVORCE IN CHAMBERS</p> <p>A. Confirmation of default judgments will be rendered in chambers on petitions for divorce only (no initial setting or modifications of alimony, custody or child support, although petition may include provisions maintaining a prior judgment of custody, child support, and other incidental relief) based on grounds of six months after physical separation (C.C. 103(1)).</p> <p>B. In accordance with the procedure set forth in C.C.P. 1701 & 1702, two (2) days exclusive of holidays after the entry of a preliminary default, the attorney may come to chambers at a time suggested by the judge and must bring:</p> <p>(1) Suit record from clerk's office, which must include:</p> <p>(a) Affidavit in accordance with the Soldiers' and Sailors' Civil Relief Act, and</p> <p>(b) Affidavit required by C.C.P. 1702(E) or verified petition;</p> <p>(2) Copy of cost print-out from clerk's office dated that morning;</p> <p>(3) Certified copy of minutes from clerk dated that morning; and</p> <p>(4) Original and one or more copies of proposed judgment signed by attorney for petitioner.</p> <p>C. Judgments on pleadings and summary judgments for divorce under C.C. Art. 103(1) will be rendered in accordance with the procedure in C.C.P. 969. After these conditions have been met, the attorney may come to chambers at a time suggested by the judge, and must bring the suit record from the clerk's office.</p> <p>D. In each instance, the judge will either render and sign the proposed judgment or direct that a hearing be held.</p> <p>E. Immediately after the judgment is signed, the attorney must take the judgment and all required supporting documents to the filing desk in the clerk's office (Counter 5) to have the judgment and other documents filed.</p>
2 nd J.D.C.	Bienville, Claiborne, and Jackson Parishes	<p>A. In addition to any hearing otherwise authorized by law to be held in chambers, civil hearings before the trial court in</p>

		<p>separation and divorce proceedings may be held in chambers in those instances where good cause is shown and with the mutual consent of the parties. These hearings shall include the contested and uncontested proceedings in rules for alimony, child support, visitation, injunctions or other matters provisional and incidental to separation and divorce proceedings.</p> <p>B. A motion for hearing in chambers pursuant to this Section may be made by either party or upon the court's own motion.</p> <p>C. Except for being closed to the public, the hearings held in chambers pursuant to this rule shall be conducted in the same manner as if taking place in open court. The minute clerk and the court reporter shall be present if necessary to perform the duties provided by law. (LSA-R.S. 9:314)</p>
3 rd J.D.C.	Lincoln and Union Parishes	<p>In accordance with Act 872 of the 1988 Regular Session of the Louisiana legislature, upon consent of counsel, domestic matters including divorce, separation, child custody, child support, visitation and alimony cases as well as directly related matters may be heard in closed hearing. In contested cases, the consent shall be in writing or of record in open court. In cases involving a confirmation of default, the original petition served shall contain an article noting that plaintiff will seek a closed hearing. Any such hearing shall be a matter of record. The record of testimony shall be maintained in accordance with the practice of maintaining confidential records of this court.</p>
6 th J.D.C.	East Carroll, Madison, and Tensas Parishes	<p>A. In addition to any hearing otherwise authorized by law to be held in chambers, the court, at its discretion may, with mutual consent of the parties, hold hearings in divorce proceedings in chambers. Such hearings shall include contested and uncontested proceedings and rules for spousal support, child support, visitation, injunctions, or other matters provisional and incidental to separation and divorce proceedings.</p> <p>B. A motion for hearing in chambers pursuant to this Rule may be made by either party or upon the court's own motion.</p> <p>C. Except for being closed to the public, the hearings held in chambers pursuant to this Rule shall be conducted in the same manner as if taking place in open court. The minute clerk and court reporter shall be present if necessary to perform the duties provided by law.</p>
7 th J.D.C.	Catahoula and Concordia Parishes	<p>A. Pursuant to La. Rev. Stat. 9:302 the court may in those instances where good cause is shown and provided that there is mutual consent of all parties, civil hearings and divorce proceedings before the trial court may be held in chambers. Such hearings shall include contested and uncontested proceedings and rules for spousal support, child support, visitation, injunctions, and other matters provisional and incidental to divorce proceedings.</p>

		<p>B. A motion for hearing in chambers pursuant to this rule may be made by either party or upon the court's own motion. Except for being closed to public the hearings held in chambers pursuant to this rule shall be conducted in the same manner as if taking place in open court. The minute clerk and court reporter shall be present if necessary to perform the duties provided by law.</p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p>A. Upon a showing of good cause, with mutual consent, hearings before the Court in divorce proceedings may be held in chambers.</p> <p>B. Confirmation of divorce under C.C. Art. 103 (1) may be accomplished by affidavit in accordance with C.C.P. Art. 1702E. In such instances, the mover's attorney shall complete the Default Confirmation under the Appendix 27.3 C.C.P. Art 1702E checklist. The checklist and affidavit must accompany the filing of the Judgment of Divorce.</p>
21 st J.D.C.	Livingston, St. Helena, and Tangipahoa Parishes	<p>Judgments of Divorce in Chambers Under LA. Code Civ. Proc. Art. 1702E</p> <p>A. Where good cause is shown, all parties consent thereto, and with the permission of the court, any hearing in a divorce proceeding, including contested and uncontested rules for spousal support, child support, visitation, injunction, or other matters provisional and incidental to divorce proceedings, may be conducted in chambers rather than open court.</p> <p>B. A motion requesting such a proceeding be conducted in chambers may be made by either party, or upon the court's own motion.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>A. Judgments of Divorce in Chambers pursuant to La. Code Civ. Proc. Art. 1702(E): Confirmation of a default judgment of divorce under La. C.C. Art. 103(1) may also be accomplished by affidavit in accordance with La. Code Civ. Proc. Art. 1702E. In such instances, the mover and/or mover's attorney shall complete the appropriate divorce checklist (<i>See Appendix 28.1B</i>). The appropriate checklist and affidavit must accompany the filing of the Judgment of Divorce.</p> <p>1. Summary Judgment of Divorce in Chambers pursuant to La. Code Civ. Proc. Art. 969(B): A Judgment of Divorce under La. Civil Code Art. 103(1) may be accomplished in accordance with La. Code Civ. Proc. Art. 969(B). In such instances, the attorney for one of the parties shall complete the appropriate divorce checklist (<i>See Appendix 28.2 B</i>). The appropriate checklist must accompany the filing of the Judgment of Divorce.</p>
24 th J.D.C.	Jefferson Parish	<p>A. Judgments of Divorce in Chambers Pursuant to La. C.C.P. Art. 1702E:</p>

		<p>1. The domestic commissioner may confirm all preliminary defaults under La. C.C. Art. 103 in accordance with La. C.C.P. Art. 1702E.</p> <p>2. To confirm a preliminary default under La. C.C. Art. 103(1) and La. C.C.P. Art. 1702(E), petitioner shall submit to the commissioner in chambers or in open court:</p> <p>a) The complete record;</p> <p>b) Affidavit of non-military service and non-covenant marriage;</p> <p>c) An affidavit executed by the petitioner within thirty (30) days of rendering the judgment attesting to facts sufficient to obtain a divorce. One affidavit containing all required facts may be submitted in lieu of multiple affidavits.</p> <p>d) The original and one or more copies of the proposed judgment;</p> <p>e) Notation from the clerk of court that no answer has been filed and that all costs have been paid.</p> <p>(f) Certification by the petitioner which shall indicate the type and date of service made on the defendant and the date on which the preliminary default was entered.</p> <p>3. Nothing herein shall preclude the petitioner from proving his/her case by live testimony.</p> <p>4. Confirmation of default judgments maybe rendered in chambers on petitions for divorce in accordance with the requirements of this subpart.</p> <p>B. Summary Judgment of Divorce in Chambers Pursuant to La. C.C. Art. 103(1) and La. C.C.P. Art. 969</p> <p>1. If all parties are represented by counsel, and an answer has been filed, the petitioner or defendant in an uncontested case, shall submit to the court:</p> <p>a. A written joint stipulation of facts, request for judgment, and a sworn verification by each party;</p> <p>b. A proposed judgment containing a certification that counsel and each party agree to the terms thereof;</p> <p>c. The complete record.</p>
27 th J.D.C.	St. Landry Parish	Divorce cases, and related matters provisional and incidental thereto, may be held in chambers with the mutual consent of the parties. A motion for a hearing in chambers may be made by either party or on the Court’s own motion.

Civil District Court	Orleans Parish	Hearings may be held in chambers in accord with R.S. 9:302.
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APPENDIX 24.12: COURT-SPECIFIC RULES CONCERNING THE PRESENCE OF CHILDREN IN THE COURTROOM AND/OR HEARING OFFICER CONFERENCES

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING THE PRESENCE OF CHILDREN IN THE COURTROOM AND/OR HEARING OFFICER CONFERENCES
13 th J.D.C.	Evangeline Parish	Clients and witnesses shall be advised not to bring children to court, unless in unusual circumstances were the child(ren) may be called as witnesses. Children, under the age of twelve, shall not be allowed in the courtroom without special permission of the court.
14 th J.D.C.	Calcasieu Parish	Clients and witnesses shall be advised not to bring children to the courthouse. When a child is to be a witness in a proceeding, the child shall not be brought to the courthouse until the Court calls for their testimony. If the child is enrolled in school, they are to remain in school until called by the Court. Children shall not be allowed in the courtroom without special permission of the Judge.
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	Clients and witnesses shall be advised not to bring children to court, except in unusual circumstances where the child[ren] may be called as witnesses. When a child is to be a witness in a proceeding, arrangements shall be made to have the child on a standby basis until their testimony is needed, preferably waiting at a location other than the Courthouse. Children, under the age of twelve, shall not be allowed in the courtroom without special permission of the court. The Clerk of Court shall notify the parties of this rule.
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">CHILDREN IN THE COURTROOM</p> <p>Clients and witnesses shall be advised not to bring children to court, except in unusual circumstances where the child[ren] may be called as witnesses. When a child is to be a witness in a proceeding, arrangements shall be made to have the child on a stand by basis until their testimony is needed.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>A. The parties are not to bring or allow their minor children to be brought to the courthouse for any family court proceeding, including Hearing Officer Conferences and court appearances, without prior court approval.</p> <p>B. If a party plans to call a minor child as a witness in a family court proceeding, arrangements shall be made to have the child available at a location other than the courthouse, until ordered by the Judge.</p> <p>C. Parties are prohibited from bringing children under the age of 12 years to any family court proceedings including Hearing Officer Conferences and court appearances.</p>

		D. Parties are allowed to bring children involved in an uncontested adoption proceeding to the court hearing.
27 th J.D.C.	St. Landry Parish	Clients and witnesses shall be advised not to bring children to court, unless in unusual circumstances where the child(ren) may be called as witnesses. Children, under the age of twelve, shall not be allowed in the courtroom without special permission of the court.
32 nd J.D.C.	Terrebonne Parish	Clients and witnesses shall be advised not to bring children to court, unless in unusual circumstances where the children may be called as witnesses. Children, under the age of twelve, shall not be allowed in the courtroom without permission of the court.
36 th J.D.C.	Beauregard Parish	Clients and witnesses shall be advised not to bring children to the courthouse. When a child is to be a witness in a proceeding, the child shall not be brought to the courthouse until the Court calls for their testimony. If the child is enrolled in school, they are to remain in school until called by the Court. Children shall not be allowed in the courtroom without special permission of the Judge. Uncontested adoption hearings are the only exception to this rule.
Civil District Court	Orleans Parish	Litigants and witnesses shall not bring children to Court without prior Court approval. Children are not allowed in the courtroom without special permission of the Judge. When the Court has given approval for a child to offer testimony or be interviewed by the Judge in chambers, the child shall be made available on a standby basis at a location other than the courthouse, until called by the Court.

**APPENDIX 24.13: COURT-SPECIFIC RULES CONCERNING MENTAL HEALTH
EVALUATIONS IN FAMILY LAW PROCEEDINGS**

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING MENTAL HEALTH EVALUATIONS IN FAMILY LAW PROCEEDINGS
4 th J.D.C.	Morehouse and Ouachita Parishes	<p>In the event the Hearing Officer believes the matter is appropriate for an evaluation by a mental health professional, a recommendation to that effect shall be included in the Hearing Officer Conference Report, including recommendations regarding the time within which to comply with any order implementing the recommendation and the manner in which the costs of said evaluation should be advanced by the parties. The parties shall either agree to a particular professional, or the Hearing Officer shall select one from a rotating list of competent mental health professionals. The Hearing Officer shall also prepare an Order for Custody Evaluation at the time of the Hearing Officer Conference, in substantial compliance with 4th JDC Family Docket Form 7.0 for the review and consideration of the assigned civil Judge. Form 7.0 may be found on the court website at www.4jdc.com/familycourt.htm. The Hearing Officer shall also instruct that a certified copy of the order be sent to the mental health professional by the Clerk of Court.</p>
14 th J.D.C.	Calcasieu Parish	<p>A. If mental health assistance is ordered, an <i>Order for Mental Health Assistance</i> shall be executed and delivered to the mental health professional, all parties, and all counsel of record by hand delivery, mail, or facsimile.</p> <p>B. Unless otherwise agreed by the parties, when a custody evaluation is ordered, the “mental health professional” shall be a person who is a psychiatrist or a person who possesses a doctorate degree in counseling, social work, psychology, public health or marriage and family counseling and is licensed by the appropriate State Board.</p> <p>C. Unless otherwise agreed by the parties, when any other type of mental health assistance is ordered, the “mental health professional” shall be a person who possesses at least a master’s degree in counseling, social work, psychology, or marriage and family counseling and is licensed by the appropriate State Board.</p> <p>D. Unless otherwise agreed by the parties, when mental health assistance is ordered, there shall have been no prior communications between the attorneys or the parties and the mental health professional concerning the issues in the pending matter, other than communications for the sole purpose of determining the availability of the mental health professional or to identify any conflicts of interest the mental health professional may have with the parties or the children.</p>

		<p>E. When mental health assistance is ordered and the mental health professional has been appointed, the attorneys and the mental health professional shall proceed as follows:</p> <ol style="list-style-type: none"> (1) There shall be no contact between the attorneys and the mental health professional other than in writing, with copies of all correspondence and attachments copied to opposing party with the attorney's certification. Any oral contacts shall be by conference call or joint meeting which shall include all counsel or parties, if unrepresented. All correspondence from the mental health professional shall be directed to the Court and all attorneys of record. Any violation of this rule shall be reported by the mental health professional to the Court. (2) The attorneys shall not use the clients or the children to send written communications to the mental health professional. (3) In the event the mental health professional determines that the minor child is at risk for physical injury or may suffer serious and demonstrable psychological trauma due to the condition or circumstances of any party or any child, the mental health professional shall immediately notify the Court and all counsel of record in writing.
<p>15th J.D.C.</p>	<p>Acadia, Lafayette, and Vermilion Parishes</p>	<p>A. At the time of the Hearing Officer Conference with the hearing officer, if either party has moved for a mental health evaluation under La. R.S. 9:331, the parties or their respective counsel shall have an opportunity to provide a verbal statement and other documentary evidence of their positions to the hearing officer with regard to the custody and/or visitation issues before the Court. The hearing officer shall then recommend whether the matter is appropriate for a mental health evaluation and if so, how the costs shall be apportioned pending the hearing on the merits of the custody and/or visitation proceeding.</p> <p>B. If the hearing officer recommends referring the matter to a mental health professional for evaluation, an Order for Mental Health Evaluation shall issue at the time of the Hearing Officer Conference, in substantial compliance with the <i>Order for Mental Health Evaluation</i> issued by the hearing officer. A party objecting to the hearing officer's recommendation referring the matter for evaluation shall have five (5) days within which to file an objection to the order.</p> <p>The Clerk of Court shall send a certified copy of the order to the mental health professional and any unrepresented party, by certified mail, return receipt requested, to the address contained on the order, simultaneously with the mailing of the Notice to all counsel of record.</p> <p>C. If the hearing officer does not recommend referring the</p>

		<p>matter to a mental health professional for an evaluation, either party shall have five (5) court days within which to file an objection to the recommendation denying the requested order;</p> <p>D. In the event either party objects to the recommendation of the hearing officer regarding the issue of mental health evaluation, the issue shall proceed before the designated Division Judge (or said matter shall immediately be set for hearing before said Division Judge if a rule date has not already been scheduled) who shall hear the matter de novo.</p> <p>E. When a custody/visitation evaluation is agreed upon by the parties or is ordered by the Court pursuant to La. R.S. 9:331 after a contradictory hearing, the attorneys shall submit an order substantially in compliance with the <i>Order for Mental Health Evaluation</i> available from the court. The Clerk of Court shall send a certified copy of the order to the mental health professional and any unrepresented party, by certified mail, return receipt requested, to the address contained on the order, simultaneously with the mailing of Notice to all counsel of record.</p> <p>F. Unless otherwise agreed by the parties, when an evaluation is ordered by the Court pursuant to La. R.S. 9:331 in a proceeding for sole custody, or a proceeding where the designation of a domiciliary parent is at issue, or in a proceeding where supervised visitation is sought, the “mental health professional” shall be a person who is a psychiatrist or a person who possesses a doctorate degree in counseling, social work, psychology, or marriage and family counseling.</p> <p>G. Unless otherwise agreed by the parties, when an evaluation is ordered by the Court pursuant to La. R.S. 9:331 in a proceeding for visitation (other than supervised visitation), or in a joint custody proceeding where the designation of a domiciliary parent is not an issue, the “mental health professional” shall be a person who possesses at least a masters’ degree in counseling, social work, psychology, or marriage and family counseling.</p> <p>H. Unless otherwise agreed by the parties, when any evaluation is ordered by the Court pursuant to La. R.S. 9:331, there shall have been no prior communications between the attorneys or the parties and the mental health professional concerning the issues in the pending matter, other than communications for the sole purpose of determining the availability of the mental health professional or to identify any conflicts of interest the mental health professional may have with the parties or the children.</p> <p>I. When an evaluation is ordered by the Court pursuant to La. R.S. 9:331 and the mental health professional has been appointed, by the attorneys and the mental health professional shall proceed as follows:</p> <ol style="list-style-type: none">1. There shall be no ex-parte contact between the
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		<p>attorneys and the mental health professional. All oral contacts shall be by conference call or joint meeting. All correspondence from the mental health professional shall be directed to all attorneys of record. All correspondence to the mental health professional shall be by joint letter from all attorneys of record, or if not by joint letter, the correspondence shall be pre-approved by all attorneys of record, and shall contain the following certification by the attorney author:</p> <p>“I do hereby certify that a copy of this letter and attachments, if any have been previously provided to all counsel of record and I have their express approval prior to its delivery to you.”</p> <p>2. In the event the attorneys of record cannot agree whether certain information or documentation should be provided to the mental health professional, the attorney of record who desires to provide the information to the mental health professional shall arrange a conference call or joint meeting between all attorneys of record and mental health professional, so that the mental health professional can decide if the information would be relevant to the evaluation. Alternatively, the attorneys of record may request a status conference from the Court.</p> <p>3. The attorneys shall not use the clients or the children to send written communications to the mental health professional.</p> <p>4. In the event the mental health professional determines that the minor child is at risk for physical injury or may suffer serious and demonstrable psychological trauma due to the condition or circumstances of any party or any child, the mental health professional shall immediately contact the Court, and all counsel of record to advise of the matter.</p> <p>5. Once the evaluation has been completed, the mental health professional shall, within a reasonable period of time, provide a <i>Short Form Child Custody/Visitation Evaluation Report</i> to the court and all attorneys of record. The form is available from the court, and it shall include at least the following information:</p> <ul style="list-style-type: none">(a) The number of contacts with the parties and the children and the types of tests administered to the parties and/or the children, if any.(b) A listing of other sources of information and a listing of any relevant information that could not be obtained.(c) Identify any specific opinions or facts regarding the parties or the children that may impact the issues before the court.
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		<p>(d) Any specific recommendation in light of the opinions or facts set forth in (c).</p> <p>6. If any attorney of record requires additional information, this information shall be requested as set forth in Section I(1) above, or by deposition.</p> <p>7. If the Court requires additional information, this information shall be provided by whatever means the Court deems appropriate.</p>
<p>16th J.D.C.</p>	<p>St. Mary, Iberia, and St. Martin Parishes</p>	<p>A. At the time of the Hearing Officer Conference, if either party has moved for a mental health or custody evaluation under La. R.S. 9:331, the parties or their respective counsel shall have an opportunity to provide a verbal statement and other documentary evidence of their positions to the Hearing Officer with regard to the custody and/or visitation issues before the Court. In the event the Hearing Officer believes the matter is appropriate for an evaluation by a mental health professional, a recommendation to that effect shall be included in the Hearing Officer Conference Report, including recommendations regarding the time within which to comply with any order implementing the recommendation and the manner in which the costs of said evaluation should be advanced by the parties. The Hearing Officer may, but is not required to, include a recommendation of a specific mental health professional to perform the evaluation.</p> <p>B. If the Hearing Officer recommends that the matter be referred to a mental health professional for evaluation, the Hearing Officer shall prepare an Order for Custody Evaluation at the time of the Hearing Officer Conference, in substantial compliance with the <i>Order for Custody Evaluation</i> for the review and consideration of the presiding Judge. A party objecting to the recommendation that a matter should be referred to a mental health professional for evaluation shall file a written objection with the clerk of court as provided elsewhere in these rules. In the event the Court orders the matter referred to a mental health professional for evaluation, the Clerk of Court shall send a certified copy of the order to the mental health professional and any unrepresented party, by certified mail, return receipt requested, to the address contained on the order, simultaneously with the mailing of Notice to all counsel of record.</p> <p>C. In the event the parties agree to the recommendation of the Hearing Officer that the matter should be referred to a mental health professional for an evaluation, the Hearing Officer shall prepare the appropriate consent Order for Custody Evaluation for the review and approval of the parties and, if they are represented by legal counsel, their respective counsel of record, which shall then be</p>

		<p>submitted to the Court for approval and execution.</p> <p style="text-align: center;"><u>Comment</u> Custody Evaluations, former Sixteenth Judicial District Court Rule 5A.7.</p>
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">MENTAL HEALTH EVALUATIONS IN CUSTODY/VISITATION PROCEEDINGS</p> <p>Section A.</p> <p>At the time of the Intake Conference with the hearing officer, if either party has moved for a mental health evaluation under La. R.S. 9:331, the parties or their respective counsel shall have an opportunity to provide a verbal statement and other documentary evidence of their positions to the hearing officer with regard to the custody and/or visitation issues before the Court. The hearing officer shall then determine whether the matter is appropriate for a mental health evaluation and if so, how the costs shall be apportioned pending the hearing on the merits of the custody and/or visitation proceeding.</p> <p>Section B.</p> <p>If the hearing officer refers or the parties agree the matter to a mental health professional for evaluation, an Order for Custody Evaluation shall issue at the time of the Intake Conference, in substantial compliance with Form S (Order For Custody Evaluation). The Attorneys or parties shall send a certified copy of the order to the mental health professional and any unrepresented party, by certified mail, return receipt requested, to the address contained on the order, simultaneously with the mailing of Notice to all counsel of record.</p> <p>Parties shall exchange information with 15 days from mediation.</p> <p>Section C.</p> <p>An evaluation shall be pursuant to La. R.S. 9:331.</p> <p>Section D.</p> <p>At the conclusion of the mediation between the parties, the parties and /or their attorney shall report to the Court that the parties have reached a mediated agreement, and shall provide a memorandum of understanding to the parties and their respective legal counsel, summarizing the nature and substance of the parties' agreement. In the event no settlement was reached, the mediator shall report to the Court, the parties, and their respective legal counsel that the parties were unable to reach a mediated agreement.</p>
22 nd J.D.C.	St. Tammany and	A. Motions for Evaluations shall be set on an expedited basis, as the Court's schedule permits.

	<p>Washington Parishes</p>	<p>B. At the time of the Hearing Officer Conference, if either party has moved for an evaluation pursuant to La. R.S. 9:331, the parties or their counsel shall have an opportunity to provide a verbal statement and/or documentary evidence of their positions. The Hearing Officer shall then recommend whether an evaluation is appropriate, and if so, how the costs shall be apportioned. This will remain a recommendation only until the date assigned for hearing on the Court’s docket, unless no objection is filed, in which case the recommendation becomes a final order of the Court.</p> <p>C. Unless otherwise agreed by the parties, when an evaluation is ordered by the Court pursuant to La. R.S. 9:331, the “mental health professional” shall be a person who possesses at least a Master’s degree in counseling, social work, psychology, or marriage and family counseling, or be a licensed psychiatrist.</p> <p>D. When a mental health evaluator has been appointed by the Court, there shall be no ex parte communication by the litigants or their attorneys with the mental health evaluator unless authorized by law or court order, or requested by the mental health evaluator. Unless otherwise agreed by the parties or authorized by the mental health evaluator, all verbal communications with the mental health evaluator 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 mental health evaluator, along with any attachments thereto, shall be provided promptly to all parties to the litigation or their attorneys of record.</p>
<p>27th J.D.C.</p>	<p>St. Landry Parish</p>	<p>A. At the time of the Intake Conference with the hearing officer, if either party has moved for a mental health evaluation under La. R.S. 9:331, the parties or their respective counsel shall have the opportunity to provide a verbal statement and other documentary evidence of their positions to the hearing officer with regard to the custody and/or visitation issues before the Court. The hearing officer shall then determine whether the matter is appropriate for a mental health evaluation and, if so, how the costs shall be apportioned pending the hearing on the merits of the custody and/or visitation proceedings.</p> <p>B. If the hearing officer refers the matter to a mental health professional for evaluation, an Order for Mental Health Evaluation shall issue at the time of the Intake Conference. A party objecting to the referral of the matter for evaluation by the hearing officer shall have three (3) court days within which to file an objection to the order. The Clerk of Court shall send a certified copy of the order to the mental health professional and any unrepresented party, by certified mail, return receipt requested, to the address contained on the order,</p>

		<p>simultaneously with the mailing of the Notice to all counsel of record.</p> <p>C. If the hearing officer does not refer the matter to a mental health professional for an evaluation, either party shall have three (3) court days within which to file an objection to the recommendation denying the requested order, and the matter shall be fixed on the rule docket for contradictory hearing.</p> <p>D. Unless otherwise agreed by the parties, when any evaluation is ordered by the Court pursuant to La. R.S. 9:331, there shall have been no prior communications between the attorneys or the parties and the mental health professional concerning the issues in the pending matter, other than communications for the sole purpose of determining the availability of the mental health professional or to identify any conflicts of interest the mental health professional may have with the parties or the children.</p>
<p>Civil District Court</p>	<p>Orleans Parish</p>	<p>A. Unless otherwise agreed by the parties, when any evaluation is ordered by the Court pursuant to La. R.S. 9:331, there shall have been no prior communications between the attorneys or the parties and the mental health professional concerning the issues in the pending matter, other than communications for the sole purpose of determining the availability of the mental health professional or to identify any conflicts of interest the mental health professional may have with the parties or the children.</p> <p>B. In the event the mental health professional determines that the minor child is at risk for physical injury or may suffer serious and demonstrable psychological trauma due to the condition or circumstances of any party or any child, the mental health professional shall immediately contact the Court, and all counsel of record to advise of the risk; if either party is not represented by counsel, then the mental health professional shall contact the Court ex parte to advise of the risk.</p> <p>C. Once the evaluation has been completed, the mental health professional shall, no later than 48 hours prior to the time the case is assigned for trial/hearing, provide a written report to the Court and the parties.</p>

APPENDIX 24.14: COURT-SPECIFIC RULES CONCERNING PROOF OF UNCONTESTED PATERNITY BY AFFIDAVIT PURSUANT TO LA. R.S. 9:572

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING PROOF OF UNCONTESTED PATERNITY BY AFFIDAVIT PURSUANT TO LA. R.S. 9:572
9 th J.D.C.	Rapides Parish	In all uncontested proceedings to establish paternity brought before the Court's Hearing Officer(s), or before the Court directly, proof may be submitted by affidavit pursuant to LA-R.S. 9:572.
10 th J.D.C.	Natchitoches Parish	In all uncontested proceedings to establish paternity brought before the Court's Hearing Officer(s), or before the Court directly, proof may be submitted by affidavit pursuant to LA-R.S. 9:572.
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	In an uncontested proceeding to establish paternity, a judgment of paternity may be obtained by submitting appropriate affidavits in accordance with LSA-R.S. 9:572.
27 th J.D.C.	St. Landry Parish	In accordance with La. R.S. 9:572, in uncontested proceedings to establish paternity, proof may be submitted by affidavit.
Civil District Court	Orleans Parish	In accordance with R.S. 9:572, in all uncontested suits to establish paternity each division, at its option, shall require that proof be submitted by affidavit only.

**APPENDIX 25.0: COURT-SPECIFIC RULES ON PREPARATION AND SUBMISSION
OF JUDGMENTS IN FAMILY LAW PROCEEDINGS**

Comment: This is in addition to District Court Rule 9.5

1 st J.D.C.	Caddo Parish	<p>Attorneys are expected to expedite the preparation and signing of judgments once they have been rendered by the court. Attorneys submitting a judgment to the court shall sign it in the lower left hand corner over the attorney's typed or printed name, firm, address, telephone number, and State Bar ID number.</p> <p style="text-align: center;">MATRIMONIAL REGIME</p> <p>1. When spouses seek judicial approval of a matrimonial agreement for modification or termination of a matrimonial regime, each one should be represented by an attorney. If any spouse chooses to be unrepresented, the petition must be accompanied by a certificate signed by that party which reads substantially as follows:</p> <p style="padding-left: 40px;">I know the Court strongly recommends that I be represented by an attorney, but I decline to do so. I believe the attached agreement serves my best interests, and I hereby state that I fully understand the governing principles and rules.</p>
14 th J.D.C.	Calcasieu Parish	<p>A. Stipulations shall be signed by all parties and counsel of record and filed in the record. If such stipulations are reached during a pretrial conference while court is in session, the stipulations shall be dictated into the record. Upon request, the Court reporter shall transcribe the stipulation, the original of which shall be filed in the record.</p> <p>B. Formal judgments shall be prepared and presented to the opposing counsel of record or the opposing party, if unrepresented, by the party ordered by the Court to prepare the judgment within 15 days of rendition of judgment. The opposing party must sign the proposed judgment or object in writing within 15 days of the mailing or delivery of the proposed judgment. If there is an objection, both parties shall submit the proposed judgment with the transcript to the Court immediately. In the event that the judgment is not presented within 15 days after rendition, the other party may prepare and present a formal judgment to the Court, after having submitted a copy to the opposing counsel or the opposing party, if unrepresented, and furnishing such notice of presentation to the Court. If the judgment is submitted without the opposing counsel's signature or if the judgment is submitted in a matter where the opposing party is unrepresented, the judgment shall be presented to the Court with the transcript.</p> <p>C. Any written stipulation regarding child support shall include a statement that the child support award is in accordance with the Louisiana Child Support Guidelines. If the stipulation is not in accordance with the guidelines, then the reasons for deviations shall be set forth in the stipulation.</p> <p>D. Any written stipulation or judgment involving joint custody shall include a Joint Custody Plan pursuant to La. R.S. 9:335. <i>See</i> Appendices 29.2A and 29.2B for a suggested Joint Custody Plan.</p> <p>E. Any written stipulation or judgment involving child support shall include an order requiring that the parents provide the State Case Registry with any change in the information required by La. R.S. 9:313 (B)(1) occurring after the rendering of the judgment.</p> <p>Any judgment of child support shall also be accompanied by the State Case Registry Data Form:</p>

VS. No. _____ : 14th JUDICIAL DISTRICT COURT

FILED: _____ : PARISH OF CALCASIEU

DEPUTY CLERK OF COURT

State Case Registry Data Form

Docket No. _____
Court/Parish _____

A. Obligor Information

Name _____ Sex _____ Date of Birth _____
 First Middle Last
Social Security No. _____ Driver's License No. _____ Telephone No. _____
Mailing
Address _____
 P.O. Box City State/Zip Code
Residential address (if different) _____
Employer _____ Employer telephone _____
Victim of Domestic Violence Yes No

=====
B. Oblige Information

Name _____ Sex _____ Date of Birth _____
 First Middle Last
Social Security No. _____ Driver's License No. _____ Telephone No. _____
Mailing
Address _____
 P.O. Box City State/Zip Code
Residential address (if different) _____
Employer _____ Employer telephone _____
Victim of Domestic Violence Yes No

=====
C. Children Information

(1)
Name _____
 First Middle Last
Sex _____ Date of Birth _____ Social Security No. _____
Evidence of Child Abuse/Domestic Violence Yes No

(2)
Name _____
 First Middle Last
Sex _____ Date of Birth _____ Social Security No. _____
Evidence of Child Abuse/Domestic Violence Yes No

(3)
Name _____
 First Middle Last
Sex _____ Date of Birth _____ Social Security No. _____

		<p>Evidence of Child Abuse/Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>=====</p> <p>In accordance with Section 466(a)(13) of the Social Security Act (42 U.S.C. 666(a)(13)), disclosure of social security numbers is required. The information may be used for purposes of establishing paternity and establishing, modifying and enforcing support obligations. Social Security numbers may also be released for reasons directly connected to programs within the Department of Social Services.</p>
<p>Family Court for the Parish of East Baton Rouge</p>	<p>East Baton Rouge Parish</p>	<p style="text-align: center;">STIPULATIONS</p> <ol style="list-style-type: none"> 1. Any matter may be resolved by the stipulation of the parties, by either submitting a written stipulation or by reading the stipulation into the record. 2. The parties or their counsels may prepare a written stipulation similar to the Appendix 35.4 <i>Stipulation</i> setting out the extent of their agreement and containing their signatures signifying their consent and agreement thereto. The written stipulation shall be submitted to the Court for approval and signature. 3. Alternatively, the parties or their counsels may read their stipulation into the record in open court. The Court shall render judgment adopting the stipulation after ascertaining that the parties understand and agree to the stipulation. 4. A written judgment must be prepared and filed in accordance with the stipulation and in compliance with the following <i>Judgment Reviews</i> and <i>Judgments and Orders</i> sections. <p style="text-align: center;">JUDGMENT REVIEWS</p> <ol style="list-style-type: none"> 1. A written judgment must be prepared and filed after any stipulation is entered into by the parties, after issuance of written reasons for judgment, after oral rendition of a judgment, or as the Court may direct. Counsel for the parties or self-represented litigants shall prepare and file the written judgment on or before the judgment review date assigned by the Court. 2. If an accurate judgment in compliance with the law and the rules of this Court is filed by the judgment review date, counsel or self-represented litigants do not need to appear in court on that date. If such a judgment has not been filed by the judgment review date, counsel or self-represented litigants must appear in open court on the assigned date. <p style="text-align: center;">JUDGMENTS AND ORDERS</p> <ol style="list-style-type: none"> 1. All judgments and orders submitted for signature shall contain the names, current physical mailing addresses, and telephone numbers of all counsels of record or self-represented litigants. 2. All judgments and orders must either be presented to the judge for signature when rendered or, if presented later, contain the typewritten name of the judge who rendered the judgment or order. The page of the judgment or order containing the judge's signature line must reflect the appropriate caption of the pleadings at issue. 3. The party or attorney responsible for preparing the judgment or order must circulate the proposed judgment or order to all counsels of record and self-represented parties to allow fifteen days for comment before presentation to the court. 4. When submitted, the proposed judgment or order must be accompanied by a certificate regarding the date of mailing, hand delivery, or other method of delivery of the document to other counsel of record and to unrepresented parties, and stating whether any opposition was received and the basis for the opposition. The certificate must also contain a request

		<p>for execution of the judgment over the opposition or in the absence of signature of the other counsels of record or self-represented party.</p> <p>5. Counsels for the parties or self-represented litigants shall prepare and submit a Qualified Domestic Relations Order or other plan for employee benefits, along with the judgment to be signed if required. If the order involves self-represented parties, the documents shall be notarized.</p> <p>6. All property partition judgments shall contain appropriate conveyance language for immovable property.</p> <p>7. Failure to comply with the provisions of this rule may result in a judgment or order not being signed.</p>
<p>22nd J.D.C.</p>	<p>St. Tammany and Washington Parishes</p>	<p>A. Submission of Judgments, Orders and Rulings</p> <p>All judgments, orders and rulings shall be presented first to the Judge of the Family Court Division to whom the case is assigned. If that Judge is not available, in cases that require immediate action, the judgment, order or ruling is to be submitted to the other Judge in Division K or L, unless the judgment, order or ruling is required by law to be signed by the judge who rendered it.</p> <p>1. Form of Judgments, Orders and Rulings</p> <p>All judgments, orders and rulings must be prepared and submitted as provided by Louisiana District Court Rule 9.5.</p> <p>2. Time for Submission of Judgments, Orders and Rulings</p> <p>All judgments, orders, and rulings are to be filed and submitted to the Court within 20 days of the stipulation or rendition of judgment unless otherwise ordered by the Court.</p> <p>In the event the parties do not agree on the language to be contained in the judgment, then the objecting party shall submit the transcript of the ruling at issue and their proposed judgment to the Court, as required in the <i>Order To Prepare Judgment/Orders</i> form in this Appendix.</p> <p>3. Penalties for Failure to comply with Court Order to Prepare Judgments, Orders and Rulings</p> <p>The court may order the parties and their attorneys, or self-represented litigants, to appear in court to show cause why they should not be held in contempt and why appropriate sanctions should not be imposed for failure to comply with the courts orders to prepare the judgment, order or ruling.</p> <p style="text-align: center;">*****</p> <p style="text-align: center;"><i>Order To Prepare Judgment/Orders</i> form</p> <p>_____ JUDICIAL DISTRICT COURT</p> <p>VERSUS _____ #_____, DIVISION “ ____ ”</p> <p>_____ PARISH OF _____</p> <p style="text-align: right;">STATE OF LOUISIANA</p>

FILED: _____
DEPUTY CLERK

ORDER TO PREPARE JUDGMENT/ORDERS

Pursuant to the Judgment/Order rendered by the court on this date in this matter,

IT IS HEREBY ORDERED that _____ is to prepare and submit to the court the following within _____ days hereof:

- Judgment Joint Custody Implementation Plan
 Order Other _____

IT IS FURTHER ORDERED that said Judgment/Order/Plan shall be submitted/filed as follows:

Filed with the clerk of court by the _____ day of _____, 20____.

IT IS FURTHER ORDERED that all Judgments/Orders/Plans, with the exception of default judgments, shall contain the certificate required by Rule 9.5 of the Louisiana District Court Rules, and if there is opposition to the wording of the Judgment/Order/Plan, the reasons for the opposition shall be in writing, and the objecting party is to attach a certified copy of the transcript of the ruling or stipulation at issue. The costs of ordering and filing of the transcript are to be paid by:

- The objecting party Shared equally by the parties

IT IS FURTHER ORDERED that all Judgments and Orders shall include the following:

1. The date and place the Judgment/Order is rendered (city, state, open court/chambers).
2. The date and place the Judgment/Order is read and signed (city, state, open court/chambers) with a space for the date to be filled in by the judge.
3. The typewritten name of the judge who rendered the Judgment/Order.
4. The page of the Judgment/Order containing the judge's signature line must reflect the docket number and title of the pleading.

IT IS FURTHER ORDERED that all consent judgments shall be signed by all parties, and if represented, by their respective attorneys, unless the parties appeared in open court and stipulated to same under oath.

IT IS FURTHER ORDERED that, in the event the Judgment/Order/Plan has not been submitted and/or filed as indicated above by the due date, all parties and their respective attorneys shall appear on the _____ day of _____, 20____, at _____ o'clock ____m. to show cause why they should not be held in contempt of court and why appropriate sanctions should not be imposed.

NOTICE is hereby given to parties and attorneys that failure to appear on the date assigned may result in a finding of contempt of court and is punishable in accordance with La. R.S. 13:4611. Penalties may be assessed against any attorney who fails to cooperate in, or causes unnecessary delay in having a judgment signed as required herein.

Signed in open court/chambers in _____, Louisiana, this _____ day of _____, 20____.

C. Attorneys presenting judgments to the court for signature at a time after the judgment shall present the judgment to the court for signing within ten (10) days of the date the judgment was rendered or agreement reached. When a dispute exists which causes a judgment to remain unsigned for more than ten (10) days, the parties shall obtain a transcript of the court's oral judgment and set the matter for an immediate status conference/rule with the district judge, domestic commissioner or domestic hearing officer as appropriate.

D. When the district judge, domestic commissioner or other domestic hearing officer to whom a case is allotted is truly unavailable the duty judge, domestic commissioner or domestic hearing officer shall sign pleadings presented as necessary and as allowed by La. C.C.P. Art. 194. The duty judge, domestic commissioner, and hearing officer shall be available each day of scheduled duty from 8:30 a.m. to 12:00 noon and from 1:30 p.m. until 4:00 p.m.

AGREEMENTS AND STIPULATIONS

A. All consent matters shall be set on the docket of, or heard by, the domestic commissioner to whom the case was allotted. If that commissioner is truly unavailable, the matter shall be set on the docket of the other domestic commissioner. If that commissioner is truly unavailable, the matter shall be set on the docket of the duty judge. If the duty judge is truly unavailable, the matter shall be set on the docket of any other district judge as specified in the rules of court.

1. Consent judgments prepared by the hearing officer at the conclusion of the conference shall be referred immediately to the domestic commissioner to be signed; if the domestic commissioners are truly unavailable, by the duty judge as described above.

2. The domestic commissioner shall be available to place consent judgments resulting from hearing officer conferences on the record and to sign them on completion of the hearing officer conference. If the domestic commissioners are truly unavailable, the domestic commissioners office shall inform the duty judge who shall make him or herself available for this purpose.

3. Consent matters, other than those resulting from a hearing officer conference, may be placed on the docket of the domestic commissioner and may be docketed Monday through Friday by tendering to the clerk of court, by hand or by facsimile, by 2:00 p.m. on the day preceding the hearing, the printed slip provided by the clerk for this purpose and set as described above at subparagraph 2. If the domestic commissioners are truly unavailable, these matters shall be set on the docket of the duty judge or as described above at paragraph A.

B. Consent judgments, when reduced to writing, shall be signed by all counsel of record and/or the parties and filed in the record and submitted to either the district judge or domestic commissioner for signature.

C. Consent judgments resulting from a hearing officer conference, but not prepared at the conclusion of the conference while both parties are present, shall be prepared and submitted to the court by the party ordered by the hearing officer to do so within ten (10) days of the hearing officer conference. If there is an objection, the objecting party shall immediately submit the objection to the hearing officer in writing with the hearing officer's recommendation sheet. In the event the judgment is not circulated to counsel for all parties and to unrepresented parties, within five (5) days after the hearing officer conference, the other party may prepare and present a judgment, in accordance with La. District Court Rule 9.5, to the domestic commissioner. If the judgment is submitted without the opposing counsel's signature or if the judgment is submitted in a matter where the opposing party is

		<p>unrepresented, the judgment shall be presented to the domestic commissioner with the hearing officer's recommendation sheet.</p> <p>D. The court will accept agreements and stipulations between counsel concerning the conduct, trial or continuance of a matter only if they are:</p> <ol style="list-style-type: none"> 1. Written and filed in the record; or 2. Made in open court and entered on the minutes; or 3. Otherwise acknowledged in writing by the parties or their counsel. <p>E. Written stipulations of counsel shall be signed by all counsel of record and filed in the record. If such stipulations are reached at a hearing officer conference or a pre-trial conference while the domestic commissioner or the court is in session, the stipulations may be dictated into the record.</p> <ol style="list-style-type: none"> 1. Any written stipulation regarding child support shall include a statement that the child support award is in accordance with the Louisiana Child Support Guidelines. If the stipulation is not in accordance with the guidelines, then the reasons for deviations shall be set forth in the stipulation. 2. Any written stipulation or judgment involving joint custody shall include a Joint Custody Implementation Plan. See Appendices 29.2A and 29.2B for suggested plans. 3. Any written stipulation or judgment involving modification of child support shall comply with La. R.S. 9:311 and La. R.S. 9:313. Any judgment of child support shall also be accompanied by the State Case Registry Data Form and shall include an order requiring that the parents provide the state case registry with any change in the information required by La. R.S. 9:313 (B) (1). <p>F. Any judgment, stipulation or agreement may include a provision for payment of court costs.</p> <p>G. Any party filing a motion for voluntary dismissal shall obtain from the clerk of court a certification that all costs have been paid.</p> <p style="text-align: center;">CONSENT JUDGMENTS AND STIPULATIONS OF FACT ON INCIDENTAL MATTERS AND COMMUNITY PROPERTY</p> <p>The domestic commissioner may address all consent judgments and stipulations of fact on incidental matters and community property.</p> <p>A. The parties must submit to the court:</p> <ol style="list-style-type: none"> 1. An original and one or more copies of the consent judgment or stipulation signed by both parties and all counsel of record; and 2. The complete record. <p style="text-align: center;">TIME WHEN DOMESTIC COMMISSIONER WILL ADDRESS DEFAULT JUDGMENTS, CONSENT JUDGMENTS AND STIPULATIONS.</p> <p>The domestic commissioner will take up default judgments, consent judgments and stipulations at times throughout the day.</p>
33 rd J.D.C.	Allen Parish	Any stipulation or agreement shall include a provision for payment of court costs.

Civil District Court	Orleans Parish	Attorneys are generally responsible for preparing typewritten judgments and orders; in cases where no attorney is enrolled, judgments and orders will be prepared by the Court. If a Written Stipulation has been executed, the typewritten judgment must be submitted within fifteen calendar days. All other judgments, whether a consent agreement or a considered decree, must be submitted within seven calendar days. Attorneys must abide by La. Dist. Ct. R. 9.5, even if the other party is not represented by counsel. If a dispute arises which causes a judgment to remain unsigned for more than ten days, the parties shall obtain a transcript of the oral judgment and set the matter for an immediate status conference or rule with the presiding judge.
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APPENDIX 25.1: COURT-SPECIFIC RULES CONCERNING INCOME ASSIGNMENT ORDERS

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING INCOME ASSIGNMENT ORDERS</u>
1 st J.D.C.	Caddo Parish	<p>An income assignment order substantially similar to the following form shall be issued in each case where child support and/or spousal support is awarded, as is required by R.S. 46:236.3 and R.S. 9:303:</p> <p align="center">INCOME ASSIGNMENT ORDER EXHIBIT E(1). IMMEDIATE INCOME ASSIGNMENT ORDER</p> <p>_____ NUMBER _____ VERSUS FIRST JUDICIAL DISTRICT COURT _____ CADDO PARISH, LOUISIANA</p> <p>ASSIGNMENT: SECTION _____</p> <p align="center">IMMEDIATE INCOME ASSIGNMENT ORDER</p> <p>In accordance with R.S. 46:236.3, this ORDER for an income assignment shall be effective immediately.</p> <p>Considering the support obligation of the OBLIGOR, _____, pursuant to the JUDGMENT rendered by this Court on the ___ day of _____, 20__:</p> <p>1. IT IS ORDERED that the PAYOR, _____, shall withhold from the income of the OBLIGOR (including but not limited to wages, salary, commission, compensation as an independent contractor, disability, unemployment compensation, annuity and retirement benefits, and any other payments made by any person, private entity, federal or state government, any unit of local government, school district, or any entity created by public act excluding worker's compensation benefits, Black Lung benefits, VA Disability benefits, and Title XVI Supplemental Security Income) the amount ordered for support, which amount is \$_____ per _____, as it becomes due; that the PAYOR must implement withholding no later than the first pay period that occurs following receipt of this income assignment, and shall continue the withholding each pay period until further order of the Court as provided in R.S. 46:236.3(G).</p> <p>2. IT IS FURTHER ORDERED that the income seized shall not exceed the percentage of disposable earnings subject to seizure as defined in R.S. 13:3881 for the payment of a support obligation; or, the income exempt from seizure is fifty percent (50%) of the OBLIGOR's disposable earnings, but in no case shall this exemption be less than an amount in disposable earnings which is equal to thirty times the federal minimum hourly wage. For further instruction on how to properly compute the income seized pursuant to this Order of assignment, please see Exhibit A attached hereto.</p> <p>3. IT IS FURTHER ORDERED that the TOTAL AMOUNT WITHHELD SHALL BE FORWARDED WITHIN TEN DAYS to the OBLIGEE, _____, at the following address: _____.</p> <p>4. IT IS FURTHER ORDERED that this assignment shall be binding upon any existing or future employer of the OBLIGOR upon whom a copy of the Order is served.</p> <p>5. IT IS FURTHER ORDERED that the PAYOR may deduct a three dollar processing</p>

fee from the income of the OBLIGOR per each pay period during which the income assignment order is in effect.

6. IT IS FURTHER ORDERED that when two or more orders to withhold income for support are received, the orders shall be prorated; if there are insufficient funds available to satisfy all orders, the orders for current support shall be given priority on a pro-rata basis.

7. IT IS FURTHER ORDERED that the OBLIGOR shall advise the court and the obligee of any change in his employment during the effective period of assignment and shall advise the court and the obligee of the name and address of any new employer. The PAYOR shall inform the OBLIGEE in writing within ten days when the OBLIGOR terminates employment, and shall provide the OBLIGOR's last known address and the name and address of the OBLIGOR's new employer, if known.

8. IT IS FURTHER ORDERED that a support order shall be given preference to any other garnishment proceeding.

9. IT IS FURTHER ORDERED that no PAYOR shall discharge, discipline, or otherwise penalize any OBLIGOR because of the duty to withhold income.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this the ___ day of _____, 20__.

DISTRICT JUDGE

Prepared by:

ATTORNEY FOR

EXHIBIT E(2). INCOME ASSIGNMENT ORDER EFFECTIVE UPON
DELINQUENCY

VERSUS

NUMBER _____
FIRST JUDICIAL DISTRICT COURT
CADDO PARISH, LOUISIANA

ASSIGNMENT: SECTION _____

INCOME ASSIGNMENT ORDER EFFECTIVE UPON DELINQUENCY

In accordance with R.S. 46:236.3, this ORDER for an income assignment shall be effective when the OBLIGOR, _____, becomes delinquent in payment of an amount equal to at least one month's support obligation (\$_____) pursuant to the JUDGMENT rendered by this Court on the ___ day of _____, 20__:

1. IT IS ORDERED that the PAYOR, _____, shall withhold from the income of the OBLIGOR (including but not limited to wages, salary, commission, compensation as an independent contractor, disability, unemployment compensation, annuity and retirement benefits, and any other payments made by any person, private entity, federal or state government, any unit of local government, school district, or any entity created by public act excluding worker's compensation benefits, Black Lung benefits, VA Disability benefits, and Title XVI Supplemental Security Income) the amount ordered for support, which amount is \$_____ per _____, as it becomes due, together with an additional

sum as computed pursuant to the formula in the NOTICE OF DELINQUENCY to discharge the past due amount; that the PAYOR must implement withholding no later than the first pay period that occurs following receipt of this income assignment, and shall continue the withholding each pay period until further order of the Court as provided in R.S. 46:236.3(G).

2. IT IS FURTHER ORDERED that the income seized shall not exceed the percentage of disposable earnings subject to seizure as defined in R.S. 13:3881 for the payment of a support obligation; or, the income exempt from seizure is fifty percent (50%) of the OBLIGOR's disposable earnings, but in no case shall this exemption be less than an amount in disposable earnings which is equal to thirty times the federal minimum hourly wage. For further instruction on how to properly compute the income seized pursuant to this Order of assignment, please see Exhibit A attached hereto.

3. IT IS FURTHER ORDERED that the TOTAL AMOUNT WITHHELD SHALL BE FORWARDED WITHIN TEN DAYS to the OBLIGEE, _____, at the following address: ____.

4. IT IS FURTHER ORDERED that this assignment shall be binding upon any existing or future employer of the OBLIGOR upon whom a copy of the Order is served.

5. IT IS FURTHER ORDERED that the PAYOR may deduct a three dollar processing fee from the income of the OBLIGOR per each pay period during which the income assignment order is in effect.

6. IT IS FURTHER ORDERED that when two or more orders to withhold income for support are received, the orders shall be prorated; if there are insufficient funds available to satisfy all orders, the orders for current support shall be given priority on a pro-rata basis.

7. IT IS FURTHER ORDERED that the OBLIGOR shall advise the court and the obligee of any change in his employment during the effective period of assignment and shall advise the court and the obligee of the name and address of any new employer. The PAYOR shall inform the OBLIGEE in writing within ten days when the OBLIGOR terminates employment, and shall provide the OBLIGOR's last known address and the name and address of the OBLIGOR's new employer, if known.

8. IT IS FURTHER ORDERED that this assignment shall be directed to any and all persons employing or paying the OBLIGOR and shall be effective against OBLIGOR's income from any new PAYOR immediately upon service of the assignment order and notice of delinquency on the new payor as provided in R.S. 46:236.3(B)(6)(c).

9. IT IS FURTHER ORDERED that a support order shall be given preference to any other garnishment proceeding.

10. IT IS FURTHER ORDERED that no PAYOR shall discharge, discipline, or otherwise penalize any OBLIGOR because of the duty to withhold income.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this the ____ day of _____, 20__.

DISTRICT JUDGE

Prepared by:

		<p>ATTORNEY FOR</p> <p>_____</p> <p style="text-align: center;">EXHIBIT A</p> <p>Formula for Computing Amount to Be Withheld in Accordance With Attached Income Assignment Order</p> <p>1. Gross compensation per pay period: \$ _____</p> <p>2. Less the following deductions:</p> <p>a. Federal income tax \$ _____</p> <p>b. F.I.C.A. _____</p> <p>c. Normal retirement contribution _____</p> <p>d. State tax _____</p> <p>e. Processing fee (up to \$3.00) _____</p> <p>Total deductions: (_____)</p> <p>3. Disposable income: \$ _____</p> <p>4. 50% of disposable income: \$ _____</p> <p>(NOTE: To avoid possible excessive seizure, compare amount equal to 50% of disposable income to the amount of income which is exempt from seizure as set forth in paragraph 2 of the attached Income Assignment Order.)</p>
<p>Family Court for the Parish of East Baton Rouge</p>	<p>East Baton Rouge</p>	<p>The following state case registry data form must be completed and attached to all Income Assignment Orders as required by Louisiana Revised Statutes § 46:236.10 prior to presentation for signature by the judge:</p> <p>_____ NO: _____ DIV. _____</p> <p>(PETITIONER) THE FAMILY COURT</p> <p>VERSUS PARISH OF EAST BATON ROUGE</p> <p>_____ STATE OF LOUISIANA</p> <p>(DEFENDANT)</p>

State Case Registry Data Form

Docket No. _____
Court/Parish _____

A. Obligor Information

Name _____ Sex _____ Date of Birth _____
First Middle Last
 Social Security No. _____ Drivers' License No. _____
 Telephone No. _____
 Mailing Address _____
P.O. Box City State/Zip Code
 Residential address (if different) _____
 Employer _____ Employer telephone _____
 Employer Address _____
 Victim of Domestic Violence Yes No

B. Oblige Information

Name _____ Sex _____ Date of Birth _____
First Middle Last
 Social Security No. _____ Drivers' License No. _____
 Telephone No. _____
 Mailing Address _____
P.O. Box City State/Zip Code
 Residential address (if different) _____
 Employer _____ Employer telephone _____
 Employer Address _____
 Victim of Domestic Violence Yes No

C. Children Information

(1) Name _____
First Middle Last
 Sex _____ Date of Birth _____ Social Security No _____
 Evidence of Child Abuse/Domestic Violence Yes No

(2) Name _____
First Middle Last
 Sex _____ Date of Birth _____ Social Security No _____
 Evidence of Child Abuse/Domestic Violence Yes No

(3) Name _____
First Middle Last
 Sex _____ Date of Birth _____ Social Security No _____
 Evidence of Child Abuse/Domestic Violence Yes No

In accordance with Section 466(a) (13) of the Social Security Act (42 U.S.C. 666(a)(13), disclosure of social security numbers is required. The information may be used for purposes of establishing paternity and establishing, modifying, and enforcing support obligations. Social security numbers may also be released for reasons directly connected to programs within the Department of Social Services.

24th
J.D.C.

Jefferson
Parish

SPOUSAL AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS – INCOME ASSIGNMENT ORDERS

- A. An income assignment order such as the order contained below shall be issued in each case where child support and/or spousal support is awarded, pursuant to La. R.S. 46:236.3 and La. R.S. 9:303.
- B. Pursuant to La. R.S. 46:236.5 (B), the court hereby assesses a fee of thirty-five dollars (\$35.00) on every petition, motion or rule filed wherein support or enforcement of support is demanded after October 31, 1987 in order to fund the administrative cost of the expedited process. The court also has the discretion to assess and collect fees not to exceed five (5%) percent of the total support obligation pursuant to said statute.
- C. The court hereby assesses a fee of five (5%) percent on all obligations of

support which are assessed through a contempt proceeding.

D. Support obligations shall be paid to the court only by money order, certified check or cashier's check.

24th JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON

STATE OF LOUISIANA

DOMESTIC RELATIONS DOCKET

NO. _____

VERSUS

INCOME ASSIGNMENT ORDER

In accordance with R.S. 46:236.3, this ORDER for an income assignment shall be effective immediately. Considering the support obligation of the OBLIGOR, _____ pursuant to the JUDGMENT rendered by this Court on the _____ day of _____, 20__.

1. IT IS ORDERED that the PAYOR, _____, shall withhold from the income of the OBLIGOR (including but not limited to wages, salary, commission, compensation as an independent contractor, disability, unemployment compensation, annuity and retirement benefits, and any other payments made by any person, private entity, federal or state government, any unit of local government, school district, or any entity created by public act excluding worker's compensation benefits, Black Lung benefits, VA Disability Benefits, and Title XVI Supplemental Security Income) the amount ordered for support, which amount is \$ _____, per _____, as it becomes due; that the PAYOR must implement withholding no later than the first pay period that occurs following receipt of this income assignment, and shall continue the withholding each pay period until further order of the Court as provided in R.S. 46:236.3(G).

2. IT IS FURTHER ORDERED that the income seized shall not exceed the percentage of disposable earnings subject to seizure as defined in R.S. 13:3881 for the payment of a support obligation; or, the income exempt from seizure is fifty percent (50%) of the OBLIGOR's disposable earnings, but in no case shall this exemption be less than an amount in disposable earnings which is equal to thirty times the federal minimum hourly wage.

3. IT IS FURTHER ORDERED that the TOTAL AMOUNT WITHHELD SHALL BE FORWARDED WITHIN TEN (10) DAYS to the OBLIGEE,

_____, at _____ the _____ following
address: _____.

4. IT IS FURTHER ORDERED that this assignment shall be binding upon any existing or future employer of the OBLIGOR upon whom a copy of the Order is served.

5. IT IS FURTHER ORDERED that the PAYOR may deduct a five (\$5.00) dollar processing fee from the income of the OBLIGOR per each pay period during which the income assignment order is in effect.

6. IT IS FURTHER ORDERED that when two or more orders to withhold income for support are received, the orders shall be prorated; if there are insufficient funds available to satisfy all orders, the orders for current support shall be given priority on a pro-rata basis.

7. IT IS FURTHER ORDERED that the OBLIGOR shall advise the court and the obligee of any change in his employment during the effective period of assignment and shall advise the court and the obligee of the name and address of any new employer. The PAYOR shall inform the OBLIGEE in writing within ten (10) days when the OBLIGOR terminates employment, and shall provide the OBLIGOR's last known address and the name and address of the OBLIGOR's new employer, if known.

8. IT IS FURTHER ORDERED that a support order shall be given preference to any other garnishment proceeding.

9. IT IS FURTHER ORDERED that no PAYOR shall discharge, discipline, or otherwise penalize any OBLIGOR because of the duty to withhold income.

Gretna, Louisiana this _____ day of _____, 20____.

J U D G E

CHILD SUPPORT PURSUANT TO HEARING OFFICER PROCEEDING –
INCOME ASSIGNMENT ORDERS

In all child support orders that are not being enforced by the Department of Social Services, the court shall comply with La. R.S. 9:303 and La. R.S. 46:236.3.

A. The original order shall include an immediate income assignment order unless there is a written agreement between the parties or the court finds good cause not to require an immediate income assignment. (La. R.S. 9:303)

B. In any case in which an immediate income assignment has not been issued, the case shall be subject to immediate income assignment upon a

		<p>delinquency of an amount equal to one month's support. (La. R.S. 46:236.3)</p> <p>C. In any matter wherein a party hereinafter referred to as "payor" is found to owe past due child support or child support and spousal support, the payor shall pay all future current support and/or arrearage through the Department of Children and Family Services. The payments shall be made by means of an income assignment order.</p>
28 th J.D.C.	LaSalle Parish	All child support orders shall be accompanied by a separate immediate income assignment order pursuant to LSA R.S. 9:303, unless the parties personally and not through counsel agree in writing to a waiver of the order which is to be filed of record.

**APPENDIX 26.0A: LOUISIANA PROTECTIVE ORDER REGISTRY
INDEX OF UNIFORM ABUSE PREVENTION ORDER FORMS
(FORMS 1 THROUGH 23 MANDATED BY LA. R.S. 46:2136.2(C))**

**LOUISIANA PROTECTIVE ORDER REGISTRY
INDEX OF UNIFORM ABUSE PREVENTION ORDER FORMS
Version 8**

Forms LPOR 1 to 23 are mandatory according to La. R.S. 46:2136.2(C). These forms may not be altered and when completed are to be transmitted by the clerk of court to the Louisiana Protective Order Registry.

- LPOR 1:** Temporary Restraining Order pursuant to La. R.S. 46:2131, et seq., La. R.S. 46:2151, or La. Ch. C. Art. 1564, et seq. (Domestic Abuse Assistance Act, Children’s Code Domestic Abuse Assistance Act, or Protection from Dating Violence Act)
- LPOR 1-R:** Temporary Restraining Order pursuant to La. R.S. 46:2131, et seq., La. R.S. 46:2151, or La. Ch. C. Art. 1564, et seq. (In Reconvention)
- LPOR 2:** Temporary Restraining Order pursuant to La. R.S. 46:2171, et seq. (Protection from Stalking Act, to be used when defendant is stranger to or acquaintance of victim)
- LPOR 3:** Protective Order pursuant to La. R.S. 46:2131, et seq., La. R.S. 46:2151, or La. Ch. C. Art. 1564, et seq. (Domestic Abuse Assistance Act, Children’s Code Domestic Abuse Assistance Act, or Protection from Dating Violence Act)
- LPOR 3-R:** Protective Order pursuant to La. R.S. 46:2131, et seq., La. R.S. 46:2151, or La. Ch. C. Art. 1564, et seq. (In-Reconvention)
- LPOR 4:** Protective Order pursuant to La. R.S. 46:2171, et seq. (Protection from Stalking Act, to be used when defendant is stranger to or acquaintance of victim)
- LPOR 5:** Order to Modify or Dissolve A Prior Louisiana Uniform Abuse Prevention Order pursuant to La. R.S. 46:2131, et seq., La. R.S. 46:2151, La. Ch. C. Art. 1564, et seq., or La. R.S. 46:2171, et seq. (Domestic Abuse Assistance Act, Children’s Code Domestic Abuse Assistance Act, Protection from Dating Violence Act, or Protection from Stalking Act.)
- LPOR 5-R:** Order to Modify or Dissolve A Prior Louisiana Uniform Abuse Prevention Order pursuant to La. R.S. 46:2131, et seq., La. R.S. 46:2151, or La. Ch. C. Art. 1564, et seq. (In-Reconvention)
- LPOR 7:** Judgment of Dismissal (Domestic Abuse Assistance Act, Children’s Code Domestic Abuse Assistance Act, Protection from Dating Violence Act, or Protection from Stalking Act.)
- LPOR 7-R:** Judgment of Dismissal (In-Reconvention)
- LPOR 9:** Temporary Restraining Order, Preliminary Injunction or Permanent Injunction pursuant to La. R.S. 9:372 (Pursuant to divorce action)
- LPOR 9-R:** Temporary Restraining Order, Preliminary Injunction or Permanent Injunction pursuant to La. R.S. 9:372 (In-Reconvention)
- LPOR 11:** Temporary Restraining Order, Preliminary Injunction or Permanent Injunction pursuant to La. R.S. 9:361, et seq. (Post Separation Family Violence Relief Act)
- LPOR 11-R:** Temporary Restraining Order, Preliminary Injunction or Permanent Injunction pursuant to La. R.S. 9:361, et seq. (In-Reconvention)
- LPOR 13:** Temporary Restraining Order, Preliminary Injunction or Permanent Injunction pursuant to La. C.C.P. Art. 3601, et seq. (Code of Civil Procedure)
- LPOR 14:** Order to Modify or Dissolve A Prior Louisiana Uniform Abuse Prevention Order pursuant to La. R.S. 9:372, La. R.S. 9:361, et seq., or La. C.C.P. Art. 3601, et seq.
- LPOR 14-R:** Order to Modify or Dissolve A Prior Louisiana Uniform Abuse Prevention Order pursuant to La. R.S. 9:372, or La. R.S. 9:361, et seq., (In-Reconvention)
- LPOR 17:** Order for Bail Restrictions, Peace Bond, Sentencing Orders, Probation Conditions (dating or domestic violence)

- LPOR 18:** **Order to Modify or Dissolve Bail Restrictions, Peace Bond, Sentencing Orders, Probation Conditions** (dating or domestic violence, or stalking)
- LPOR 19:** **Protective Order, pursuant to La. R.S. 46:2131, et seq. & R.S. 9:361, et seq., or La. R.S. 46:2151 & R.S. 9:361, et seq., or La. Ch. C. Art. 1564, et seq. & R.S. 9:361, et seq.**
- LPOR 19-R:** **Protective Order, pursuant to La. R.S. 46:2131, et seq. & R.S. 9:361, et seq., or La. R.S. 46:2151 & R.S. 9:361, et seq., or La. Ch. C. Art. 1564, et seq. & R.S. 9:361, et seq. (In Reconvention)**
- LPOR 20:** **Order of Protection** (stipulation or consent agreement, or filing under more than one body of law)
- LPOR 20-R:** **Order of Protection (In-Reconvention)**
- LPOR 21:** **Order for Bail Restrictions, Peace Bond, Sentencing Orders, Probation Conditions - Stalking**
- LPOR 22:** **Criminal Order of Protection: Bail Restrictions, Sentencing Orders, Probation Conditions – Domestic Abuse Battery**
- LPOR 23:** **Peace Bond** (to be used only in cases of domestic or dating violence, or stalking)

APPENDIX 26.0B: LOUISIANA PROTECTIVE ORDER REGISTRY
COURTESY FORMS INDEX: INSTRUCTIONS, PETITIONS, SUPPLEMENTAL FORMS, ETC.

LOUISIANA PROTECTIVE ORDER REGISTRY
COURTESY FORMS: INSTRUCTIONS, PETITIONS, SUPPLEMENTAL FORMS, ETC.
INDEX OF VERSION 8 FORMS

Forms LPOR A-Z were created by the Judicial Administrator's Office as a courtesy to the courts. The use of these forms is not mandatory, nor are the completed forms to be transmitted by the clerk of court to the Louisiana Protective Order Registry. Check with the clerk of court to determine whether these or other forms are preferred by a particular court.

LPOR A: Instructions for Completing the Petition for Protection From Abuse

LPOR B - C-R: The forms listed below and the circumstances under which they are to be used are described in the instructions, **LPOR A**.

LPOR B: Petition for Protection From Abuse (pursuant to La. R.S. 46:2131, et seq. or La. R.S. 46:2151)

LPOR B-R: Petition for Protection From Abuse (pursuant to La. R.S. 46:2131, et seq. or La. R.S. 46:2151), In Reconvention

LPOR C: Petition for Protection From Abuse (pursuant to La. Ch. C. Art. 1564, et seq.)

LPOR C-R: Petition for Protection From Abuse (pursuant to La. Ch. C. Art. 1564, et seq.), In Reconvention

LPOR D: Petition for Protection From Stalking (pursuant to La. R.S. 46:2171, et seq)

LPOR E: Petition to Make Foreign Protective Order Executory in Louisiana

LPOR F: Confidential Address Form (with petitions LPOR B, C or D)

LPOR F-R: Confidential Address Form, In-Reconvention (with petitions LPOR B-R, or C-R)

LPOR H: Information for Service of Process Form

LPOR K: Rule to Show Cause Why Defendant Should Not Be Held in Contempt of Court

LPOR K-R: Rule to Show Cause Why Defendant Should Not Be Held in Contempt of Court, In Reconvention

LPOR M: Rule to Show Cause Why Protective Order Should Not Issue

LPOR M-R: Rule to Show Cause Why Protective Order Should Not Issue, In Reconvention

LPOR N: Rule to Show Cause Why Protective Order Should Not Issue (Stalking)

LPOR O: Petition for Temporary Restraining Order, Preliminary and Permanent Injunction, Pursuant to La. Code of Civil Procedure Article 3601, et seq.

LPOR P: Motion to Modify or Dissolve Protective Order, Pursuant to La. R.S. 46:2131, et seq., La. R.S. 46:2151, La. Ch. C. Art. 1564, et seq. or La. R.S. 46:2171, et seq

LPOR P-R: Motion to Modify or Dissolve Protective Order, Pursuant to La. R.S. 46:2131, et seq., La. R.S. 46:2151, or La. Ch. C. Art. 1564, et seq. In-Reconvention

LPOR T: Motion to Modify or Dissolve a Temporary Restraining Order, Preliminary Injunction or Permanent Injunction, Pursuant to La. R.S. 9:372, La. R.S. 9:361, et seq. or La. C.C.P. Art. 3601, et seq.

LPOR T-R: Motion to Modify or Dissolve a Temporary Restraining Order, Preliminary Injunction or Permanent Injunction, Pursuant to La. R.S. 9:372, or La. R.S. 9:361, et seq. (In-Reconvention)

LPOR Y: Instructions for Filling Out and Filing Petition for Protection from Stalking (LPOR D)

LPOR Z: Instructions for Filling Out and Filing Petition for Temporary Restraining Order, or Preliminary or Permanent Injunction Pursuant to La. Code of Civil Procedure Article 3601, et seq. (LPOR O)

APPENDIX 27.0A: LA. C.C. ART. 102 DIVORCE CHECKLIST

**LOUISIANA CIVIL CODE ARTICLE 102 DIVORCE
Certification of Eligibility for Divorce**

Notice: Must be completed by Mover or their Attorney and filed on or before the Rule date is scheduled for hearing.

DOCKET NUMBER: _____

Petitioner
versus

PARISH OF _____

Defendant

A. Dates

- 1. Petition for Divorce: _____ Date Petition Filed
- 2. Parties physically separated: _____ Date of Separation
- 3. Date Petition served/waiver executed: _____ Date of Service/ Waiver
- 4. Rule for Divorce: _____ Date Rule Filed
- 5. Date Rule served/waiver executed: _____ Date of Service/Waiver

B. Time Periods

(Choose either #1 or #2)

- 6. The parties have minor children, and have been living separate and apart **365 days or more** without reconciliation prior to the filing of the rule. Yes
- OR
- 7. The parties have no minor children, and have been living separate and apart **180 days or more** without reconciliation prior to the filing of the rule. Yes

C. Petition (La. C.C.P. Art. 3951)

- 8. Is the petition in the record? Yes
- 9. Are proper jurisdiction and venue expressly alleged in the Petition? Yes
- 10. Is the Petition verified by the petitioner? Yes
- 11. Were the parties living separate and apart at the time of filing, or was the defendant personally served with the Petition and Citation? Yes
- 12. Is the Sheriff's return in the record showing service? Yes
- 13. Is the waiver of service in the record? Yes

D. Rule to Show Cause (La. C.C.P. Art. 3952)

- 14. Is the Rule in the record? Yes
- 15. Date the Rule was filed? Yes
- 16. Does the Rule allege:
 - a. Proper service of the Petition or waiver of service and notice of the Petition? Yes
 - b. 180/365 days or more have elapsed since service or execution of a written waiver of service and notice of the Petition? Yes
 - c. The parties have lived separate and apart continuously for 180/365 days prior to filing of the Rule? Yes
 - d. That Notice was issued pursuant to La. R.S. 13:3491? Yes
- 17. Is the Rule verified by the Affidavit of the Petitioner? Yes
- 18. Was the Rule filed within 2 years of the service of the Petition or execution of the written waiver of service of the Petition? Yes
- 19. Is the Sheriff's return showing service or the waiver of service in the record? Yes

E. Affidavit of Mover (La. C.C.P. Art. 3956(5)) or Testimony

- 20. Does the record contain the Affidavit of the mover executed after the Rule was filed, or does the testimony specifically establish that:
 - a. The parties have lived separate and apart continuously for at least 180/365 days prior to the filing of the Rule? Yes
 - b. The parties are living apart at the time of the execution of the Affidavit? Yes
 - c. The mover desires to be divorced? Yes
- 21. Was affidavit executed after Rule was filed or was testimony offered at hearing? Yes

MOVER'S/ATTORNEY'S CERTIFICATION

I hereby certify that I have examined the record in the above-captioned case and the information provided herein is true and correct based upon my personal knowledge, information and belief.

Date of Record Examination

Signed by Petitioner/Attorney for Petitioner

Attorney's Bar Number

Date of Certification

Address

Telephone Number

HEARING OFFICER RECOMMENDATION

Considering the record in this case, the submission of the petitioner/mover's counsel, it being the finding of the Hearing Officer that all legal requirements for granting a divorce under Louisiana Civil Code Article 102 have been met.

IT IS HEREBY recommended that the attached Judgment of Divorce be made the Order of this Court, no objection having been made by either party. _____, Louisiana, this ____ day of _____, 20____.

Hearing Officer

APPENDIX 27.0B: COURTS THAT REQUIRE THE FILING OF A LA.-C.C. ART. 102 DIVORCE CHECKLIST, THE ENTIRE RECORD, AND/OR OTHER DOCUMENTATION IN A LA-C.C. ART. 102 DIVORCE

COURT	PARISHES	JDC-SPECIFIC RULES ON USE OF LA. C.C. ART. 102 DIVORCE CHECKLISTS, THE ENTIRE RECORD, AND/OR OTHER DOCUMENTATION
2 nd J.D.C.	Bienville, Claiborne, and Jackson Parishes	Before a rule for divorce pursuant to La. C.C. Article 102 may be heard, the moving party must file into the record a certification setting forth dates of service of process and other matters as they appear on the checklist and certificate.
4 th J.D.C.	Morehouse and Ouachita Parishes	For divorces pursuant to La. C.C. art. 102, mover's attorney shall file the required Appendix 27.0A uncontested divorce checklist form in the suit record no later than the Friday before the rule is fixed for hearing. The filing of said checklist has the effect of a pleading and must be executed in good faith following an examination of the record. If respondent does not appear to contest the rule for divorce, the Court may grant the divorce if the requirements of law are satisfied. If the respondent appears to contest the divorce based upon reconciliation, the matter shall be deferred only if the party or party's counsel alleges reconciliation by verified pleading. If no verified pleading is filed alleging reconciliation, then the alleged reconciliation shall not be a defense to the divorce, and the 102 divorce shall be granted provided all other legal requirements are met. Any incidental matters that have not previously been resolved shall be fixed for trial pursuant to Local Rules.
14 th J.D.C.	Calcasieu Parish	<p>A. All rules to show cause why a divorce should not be granted pursuant to La. Civ. C. art. 102 shall be assigned for the next feasible motion hour.</p> <p>B. Mover's attorney shall offer and introduce for filing the entire record and the appropriate 102 Checklist (Appendix 27.0A) in open court on the hearing date. Attorneys appointed to represent absentee defendants shall testify in open court at that time.</p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	The entering of a divorce under La. C.C. art. 102 may be accomplished by affidavit in accordance with La. C.C.P. art. 3951, et. seq. The mover's attorney shall complete and submit the La. C.C. art. 102 divorce checklist (Appendix 27.0A). The checklist form and affidavit shall be filed no later than the date the Rule is filed for hearing.
Family Court for the Parish of	East Baton Rouge Parish	At the hearing on a rule to show cause why a divorce should not be granted pursuant to Louisiana Civil Code

East Baton Rouge		<p>article 102, the mover or his attorney shall offer and introduce into evidence the entire record and a La. C.C. art. 102 divorce checklist (Appendix 27.0A) in open court on the hearing date. Attorneys appointed to represent absentees shall testify in open court at that time.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>Testimony Required</p> <p>To enter a judgment of divorce it shall be sufficient to introduce the testimony of the moving party to constitute a prima facie case in divorce matters filed pursuant to La. Civil Code Art. 102.</p> <p>Waiver of Hearing</p> <p>After filing a rule to show cause in a pending divorce proceeding, the Court may enter a Judgment granting a Judgment of Divorce under La. Civil Code Art. 102 without the appearance of mover or counsel if, at the time of the scheduled hearing, the record contains (1) The Rule, (2) Proof of service of the Petition or waiver of service, (3) An Affidavit executed by the mover as required by La. Code Civ. Proc. Art. 3952, (4) Proof of service of the Rule or waiver of service, (5) An Affidavit executed by the mover after the Rule was filed as required by La. Code Civ. Proc. Art. 3956(5), and (6) the checklist contained in Appendix 26.1A completed and signed by the mover/counsel for the mover.</p> <p>Required Affidavits</p> <p>The entering of a divorce pursuant to La. Civil Code Art. 102 may be accomplished by affidavit in accordance with La. Code Civ. Proc. Art. 3951, et seq. In that event, the mover and/or mover's attorney shall complete and submit the checklist as contained in Appendix 27.0A. The checklist and affidavit shall be filed no later than the date the Rule is fixed for hearing.</p> <p>Dismissal of Divorce</p> <p>A dismissal of a Petition for Divorce under Civil Code Article 102 shall be rendered upon joint motion of the parties and upon payment of all costs, or upon contradictory motion filed by the mover.</p>
24 th J.D.C.	Jefferson Parish	<p>Before a rule for divorce pursuant to La. C.C. art. 102 may be heard, the moving party must file into the record:</p> <p>(1) a certification of truthfulness of the statements contained the La. C.C. art. 102 checklist (Appendix</p>

		<p>27.0A). This certification may be satisfied by signing the checklist;</p> <p>(2) a statement that the rule is contested or uncontested, which must be must be completed by the mover's attorney and filed in open court on the date the rule is fixed for hearing;</p> <p>(3) an affidavit of non-military service; and</p> <p>(4) an affidavit that the parties did not contract a covenant marriage.</p> <p>One affidavit containing all required facts may be submitted in lieu of multiple affidavits.</p>
36 th J.D.C.	Beauregard Parish	Mover's attorney shall offer and introduce for filing the entire record and the appropriate "102 checklist" (Appendix 27.0A) in open court on the hearing date.
Civil District Court	Orleans Parish	Before a rule for divorce pursuant to La. C.C. Art. 102 may be heard, the moving party or the mover's attorney must file the 102 Divorce Checklist (Appendix 27.0A) into the record. The filing of the checklist has the effect of a pleading and must be executed in good faith following an examination of the record.

**APPENDIX 27.0C: COURT-SPECIFIC RULES CONCERNING ALLOWANCE OF
DIVORCE BY AFFIDAVIT IN A LA-C.C. ART. 102 DIVORCE**

COURT	PARISHES	JDC-SPECIFIC RULES ON ALLOWANCE OF DIVORCE BY AFFIDAVIT IN LA-C.C. ART. 102 DIVORCES
1 st J.D.C.	Caddo Parish	<p style="text-align: center;">DISMISSAL OF DIVORCE</p> <p>In accordance with C.C.P. Art. 3958, a petition for divorce filed under C.C. Art. 102 shall only be dismissed upon joint motion of the parties and payment of all court costs, or upon contradictory motion of the plaintiff. Thus, any motion to dismiss a petition for divorce must clearly state whether the divorce petition was filed in accordance with C.C. Art. 102 or 103.</p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p style="text-align: center;">RULES TO SHOW CAUSE</p> <p>To enter a judgment of divorce it shall be sufficient to introduce the testimony of the moving party to constitute a prima facie case in divorce matters filed pursuant to C.C. Article 102.</p> <p style="text-align: center;">REQUIRED AFFIDAVITS</p> <p>The entering of a divorce under C.C. Art. 102 may be accomplished by affidavit in accordance with C.C.P. Articles 3951 et. seq. In that event, the mover's attorney shall complete and submit the C.C. Art. 102 Divorce Checklist form in Appendix 27.0A of the District Court Rules. The Checklist form and affidavit shall be filed no later than the date the Rule is fixed for hearing.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>The entering of a divorce pursuant to La. Civil Code Art 102 may be accomplished by affidavit in accordance with La. Code Civ. Proc. Art. 3951, et seq. In that event, the mover and/or mover's attorney shall complete and submit the appropriate Louisiana Civil Code Article 102 Divorce Form. The appropriate form and affidavit shall be filed no later than the date the Rule is fixed for hearing.</p> <p>After filing a rule to show cause in a pending divorce proceeding, the Court may enter a Judgment granting a Judgment of Divorce under La. Civil Code Art. 102 without the appearance of mover or counsel if, at the time of the scheduled hearing, the record contains (1) The Rule, (2) Proof of service of the Petition or waiver of service, (3) An Affidavit executed by the mover as required by La. Code Civ. Proc. Art. 3952, (4) Proof of service of the Rule or waiver of service, (5) An Affidavit executed by the mover after the Rule was filed as required by La. Code Civ. Proc. Art. 3956(5), and (6) the appropriate form (Appendix Form A) completed and signed by the mover/counsel for the mover.</p>
24 th J.D.C.	Jefferson Parish	<p style="text-align: center;">RULES TO SHOW CAUSE</p>

		<p>A. Hearings of La. C.C. Art. 102 rules to show cause why a divorce should not be granted may be heard by the domestic commissioner.</p> <p>B. Verified rule to show cause why a divorce should not be granted pursuant to La. C.C. Art. 102 shall contain the following: (<i>See</i> La. C.C.P. Art. 3952)</p> <ol style="list-style-type: none">1. The date the parties physically separated;2. The date the petition for divorce was filed;3. The date the petition for divorce was served; and4. Statement of non-reconciliation. <p>C. At the hearing of the La. C.C. Art. 102 rule to show cause why a divorce should not be granted a checklist for divorce under La. C.C. Art. 102 and a statement that the rule is contested or uncontested shall be filed in the record. <i>See</i> Appendix 27.0B.</p> <p>D. The domestic commissioner may appoint an attorney to represent the absent defendant.</p> <p>E. At the hearing, the mover's attorney should offer and introduce for filing the entire record and the C.C. Art. 102 divorce checklist contained at Appendix 27.0B. The attorney appointed to represent an absent party shall offer a note of evidence at the hearing.</p> <p>F. If the rule for divorce is uncontested, the commissioner shall grant the divorce if appropriate.</p> <p style="text-align: center;">REQUIRED AFFIDAVITS</p> <p>At the hearing on the rule to show cause, the mover must submit the following affidavits:</p> <ol style="list-style-type: none">1. An affidavit executed after the filing of the rule to show cause, that the parties have lived separate and apart continuously, for at least 180 days prior to the filing of the rule to show cause, that they are still living separate and apart and that mover desires to be divorced; and2. An affidavit of non-military service and an affidavit that the parties did not contract a covenant marriage. One affidavit containing all required facts may be submitted in lieu of multiple affidavits. <p style="text-align: center;">ATTORNEY CERTIFICATIONS</p>
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		<p>Before a rule for divorce pursuant to La. C.C. Art. 102 may be heard, the moving party must file into the record a certification of the truthfulness of the statements contained in the La. C.C. Art. 102 divorce checklist. This certification may be satisfied by signing the checklist.</p> <p style="text-align: center;">DISMISSAL OF DIVORCE</p> <p>All motions to dismiss petitions for divorce shall state that the petition was filed pursuant to La. C.C. Art. 102. In compliance with La. C.C.P. Art. 3958, a petition for divorce filed pursuant to La. C.C. Art. 102 shall be dismissed only upon joint motion of the parties and payment of all court costs, or upon contradictory motion of the plaintiff, to be heard by the district judge. A judgment of dismissal rendered pursuant to La. C.C.P. Art. 3958 shall be without prejudice to any separation of property decree rendered under La. C.C. Arts. 2374 and 2375.</p>
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APPENDIX 27.1A: WAIVER OF ORIGINAL PETITION IN A LA.-C.C. ART. 102

DIVORCE

_____ JUDICIAL DISTRICT COURT

VERSUS

DOCKET NO. _____

_____ PARISH, LOUISIANA

PETITION FOR DIVORCE - CIVIL CODE ART. 102
WAIVER OF SERVICE AND NOTICE

STATE OF LOUISIANA

PARISH OF _____

BEFORE ME, the undersigned authority, personally came and appeared:

(Print name)

who after being duly sworn did depose and state that:

Affiant does formally and expressly acknowledge receipt of a certified copy of the Petition for Divorce and waive service of the Petition for Divorce filed pursuant to Civil Code Art. 102 in this proceeding, and further waives any accompanying notice required by law including, but not limited to, the notice set forth in R.S. 13:3491.

Sign your Name

Print your name

Sworn to and subscribed before me this _____ day of _____, 20____.*

NOTARY PUBLIC

Print name: _____

My commission expires: _____

*As required by Code of Civil Procedure Art. 3957(A), this waiver must be executed after the filing of the Petition for Divorce and must be filed in the record of the proceeding.

APPENDIX 27.1B: WAIVER OF RULE TO SHOW CAUSE IN A LA.-C.C. ART. 102 DIVORCE

_____ JUDICIAL DISTRICT COURT
VERSUS DOCKET NO. _____
_____ PARISH, LOUISIANA

RULE FOR DIVORCE - CIVIL CODE ART. 102
WAIVER OF SERVICE, CITATION, AND ALL DELAYS

STATE OF LOUISIANA

PARISH OF _____

BEFORE ME, the undersigned authority, personally came and appeared:

(Print name)

who after being duly sworn did depose and state that:

Affiant does formally and expressly acknowledge receipt of a certified copy of the Rule for Judgment of Divorce pursuant to La. C.C. art. 102 filed herein on the ____ day of _____, 20____ and waive service of the rule to show cause why a divorce should not be granted pursuant to a Petition for Divorce filed under Civil Code Art. 102 in this proceeding, and further waives: (1) the necessity of issuance of formal citation and service of process; (2) all legal delays allowed by law, particularly those delays allowed for answering and/or excepting to the pleading pursuant to Code of Civil Procedure Articles 1001 and 1002; (3) notice of trial pursuant to Code of Civil Procedure Art. 1571 and appearance at trial; (4) necessity of being given notice of the signing of the judgment pursuant to La. CC.P. art. 1913; and (5) the special notice required by La. R.S. 13:3491 and 13:3492.

Affiant acknowledges that the signature hereon will allow mover to go forward with the divorce in affiant’s absence, and further understands that mover intends to do so.

Sign your Name

Print your name

Sworn to and subscribed before me this _____ day of _____, 20____.*

NOTARY PUBLIC

Print name: _____

My commission expires: _____

*As required by Code of Civil Procedure Art. 3957(B), this waiver must be executed after the filing of the rule for divorce and must be filed in the record of the proceeding.

APPENDIX 27.1C: COURTS THAT REQUIRE USE OF A SPECIFIC WAIVER OF SERVICE AND CITATION FORM IN A LA-C.C. ART. 102 DIVORCE

COURT	PARISHES	JDC-SPECIFIC RULES REQUIRING USE OF A SPECIFIC WAIVER OF SERVICE AND CITATION FORM IN A LA-C.C. ART. 102 DIVORCE
10 th JDC	Natchitoches Parish	The following rules shall be observed with respect to separation and divorce cases: (a) In any civil matter, the defendant or his attorney therein may accept service and waive citation. In all other cases, citations should regularly issue thereon and service made according to law.
24 th JDC	Jefferson Parish	A. Waiver of service and notice of a La. C.C. Art. 102 divorce petition shall be accomplished by use of the Appendix 27.1A form. B. Waiver of service and notice of a La. C.C. Art. 102 rule for divorce shall be accomplished by use of the Appendix 27.1B form.

APPENDIX 28.0: COURT-SPECIFIC RULES CONCERNING CONFIRMATION OF PRELIMINARY DEFAULTS

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING CONFIRMATION OF PRELIMINARY DEFAULTS
1 st J.D.C.	Caddo Parish	<p>A. CONFIRMATIONS OF DEFAULT (IN COURT)</p> <p>1. A confirmation of default, if taken up in court, shall be docketed on Wednesday or Friday. (Confirmations of default heard in chambers are governed in Section B below.)</p> <p>2. Confirmations to be heard in court shall be docketed by tendering to the clerk, no later than 2:00 p.m. on Friday, the printed slip provided by the clerk of court. The slip shall state, by date, the Wednesday or Friday upon which counsel chooses to confirm the default, including the Wednesday or Friday of the immediately following week.</p> <p>3. In the event counsel chooses to pass a case from the confirmation docket, counsel shall immediately notify the judge.</p> <p>4. In suits for divorce when judgment is sought by confirmation of default, a non-reconciliation witness shall not be required, provided the testimony establishes a prima facie case, unless in the opinion of the judge additional witnesses are required for judgment.</p> <p>Corroboration as to the merits shall be required for C.C. 103(2) and (3) divorces.</p> <p>B. JUDGMENT OF DIVORCE IN CHAMBERS</p> <p>1. Confirmation of default judgments will be rendered in chambers on petitions for divorce only (no initial setting or modifications of alimony, custody or child support, although petition may include provisions maintaining a prior judgment of custody, child support, and other incidental relief) based on grounds of six months after physical separation (C.C. 103(1)).</p> <p>2. In accordance with the procedure set forth in C.C.P. 1701 & 1702, two (2) days exclusive of holidays after the entry of a preliminary default, the attorney may come to chambers at a time suggested by the judge and must bring:</p> <p>(a) Suit record from clerk's office, which must include:</p> <p>(1) If applicable, an affidavit in accordance with the Soldiers' and Sailors' Civil Relief Act, and</p> <p>(2) Affidavit required by C.C.P. 1702(E) or verified petition;</p> <p>(b) Copy of cost print-out from clerk's office dated that morning;</p>

		<p>(c) Certified copy of minutes from clerk dated that morning; and</p> <p>(d) Original and one or more copies of proposed judgment signed by attorney for petitioner.</p> <p>3. Judgments on pleadings and summary judgments for divorce under C.C. Art. 103(1) will be rendered in accordance with the procedure in C.C.P. 969. After these conditions have been met, the attorney may come to chambers at a time suggested by the judge, and must bring the suit record from the clerk's office.</p> <p>4. In each instance, the judge will either render and sign the proposed judgment or direct that a hearing be held.</p> <p>5. Immediately after the judgment is signed, the attorney must take the judgment and all required supporting documents to the filing desk in the clerk's office (Counter 5) to have the judgment and other documents filed.</p> <p>C. TITLE IV-D AFDC PATERNITY SUITS</p> <p>1. Confirmations of default, consent hearings, rules, and trials on the merits in Title IV-D AFDC paternity suits shall be docketed only on Wednesday. Any contested paternity suit shall be fixed for trial on Wednesday in the manner set forth for docketing trials.</p> <p>AFDC paternity suits will be heard only by the judge to whom the case is assigned, and will be heard on an alternating monthly basis by the judges assigned to Sections D and E.</p>
3 rd J.D.C.	Lincoln and Union Parishes	<p>In accordance with Act 872 of the 1988 Regular Session of the Louisiana legislature, upon consent of counsel, domestic matters including divorce, separation, child custody, child support, visitation and alimony cases as well as directly related matters may be heard in closed hearing. In contested cases, the consent shall be in writing or of record in open court. In cases involving a confirmation of default, the original petition served shall contain an article noting that plaintiff will seek a closed hearing. Any such hearing shall be a matter of record. The record of testimony shall be maintained in accordance with the practice of maintaining confidential records of this court.</p>
4 th J.D.C.	Morehouse and Ouachita Parishes	<p>A. All confirmations of default in family and domestic matters, whether in OUACHITA PARISH or MOREHOUSE PARISH, and whether assigned to the presiding Division or not, may be taken up and disposed of during Civil Motion Hour.</p> <p>B. Requests for confirmations without court hearing pursuant to C.C.P. Articles 1702 and 1702.1 shall be presented to the Clerk of each parish and must be done in strict compliance with all provisions of those articles. The Clerk shall attach the required certificate before presenting any such matter to the judge. In OUACHITA PARISH, the Clerk shall present such</p>

		<p>pending requests to the judge presiding at each Wednesday Motion Hour. In MOREHOUSE PARISH, the Clerk shall present them to the duty judge.</p> <p>C. Confirmations of default requiring testimony</p> <ol style="list-style-type: none"> 1. Matters in which a defendant purports to accept service and waive citation will be considered only if defendant's action occurs after suit is filed and docket number assigned and if that act is either witnessed by a deputy sheriff or executed under oath by a notary public or other appropriate officer. 2. Except in regard to stipulations of fact, orders or judgments, no matters will be considered in which an attorney has prepared a pleading or document for an unrepresented party opposing his client. 3. All alleged out-of-court agreements between parties must comply with Louisiana Civil Code article 3071.
9 th J.D.C.	Rapides Parish	<p>Unless otherwise provided by law, defaults may not be confirmed except upon the testimony of the plaintiff and one witness, or affidavit as required by the Code of Civil Procedure and corroborating circumstances sufficient, in the opinion of the Court, to establish the allegations made.</p>
10 th J.D.C.	Natchitoches Parish	<p>Defaults may be regularly confirmed as in other cases, after the legal delays from the regular service of the petition, and preliminary default taken. In such cases, default may not be confirmed except upon the testimony of two witnesses other than the plaintiff, or one witness besides the plaintiff, and corroborating circumstances sufficient, in the opinion of the Court, to establish the charges made.</p>
14 th J.D.C.	Calcasieu Parish	<p>To confirm a preliminary default under La. C. C. Art. 103(1) and La. C. Civ. Proc. art 1702 (E), petitioner shall submit to the Court in chambers or open court the following:</p> <ol style="list-style-type: none"> (1) The record; (2) 103 Checklist (Appendix 28.1B); (3) An affidavit executed by the petitioner within 30 days of submittal of the proposed judgment specifically attesting to and testifying as to the truth of all of the factual allegations contained in the petition and facts sufficient to obtain a divorce; and (4) The original and one copy of the proposed judgment.
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p>A. Confirmation of default shall be in accordance with law. To confirm a default it shall be sufficient to introduce the testimony of the moving party to constitute a prima facie case in divorce matters filed pursuant to C.C. Article 103(1).</p> <p>It shall be the responsibility of the attorney bringing a confirmation before the court that is not fixed on the</p>

		<p>docket for that day to check out the suit record from the Clerk for submission at the hearing.</p> <p>B. Judgments of Divorce in Chambers under La. Code Civ. Proc. Art. 1702E</p> <p>Confirmation of divorce under C.C. Art. 103 (1) may be accomplished by affidavit in accordance with C.C.P. Art. 1702E. In such instances, the mover's attorney shall complete the Default Confirmation under C.C.P. Art 1702E Checklist (Appendix 28.1B). The Checklist and affidavit must accompany the filing of the Judgment of Divorce.</p>
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	<p>Default Confirmations Under Article 1702E C.C.P.</p> <p>A. To confirm a preliminary default, plaintiff must submit:</p> <p>(1) a petition;</p> <p>(2) an affidavit executed by the petitioner within 30 days of rendering the judgment of the petitioner specifically testifying as to facts sufficient to obtain a divorce; and</p> <p>(3) the original and one copy of the proposed judgment.</p> <p>B. Individuals representing themselves must appear in open court to obtain a judgment of divorce.</p> <p>C. These documents must be filed with the Court's docket clerks of the proper division with a cover letter indicating the action desired and a La. C.C.P. art. 1702 divorce checklist (Appendix 28.1B). Judgment will be signed and will include any ancillary relief stipulated to in the judgment.</p> <p>D. If other relief is sought in addition to the divorce, the entire case must be fixed for hearing, unless petitioner furnishes a sworn affidavit of defendant stipulating to the other relief.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>Confirmation of default shall be in accordance with law. To confirm a default it shall be sufficient to introduce the testimony of the moving party to constitute a prima facie case in divorce matters filed pursuant to La. Civil Code Art. 103(1). The Judgment of Divorce must contain a certification by the Clerk of Court that all costs have been paid.</p>
24 th J.D.C.	Jefferson Parish	<p style="text-align: center;">PRELIMINARY DEFAULTS</p> <p>The domestic commissioner may enter all preliminary defaults under C.C. Art. 103 filed in accordance with La. C.C.P. Art. 1702E.</p> <p style="text-align: center;">CONFIRMATION OF DEFAULTS UNDER LA.-C.C.P. ART. 1702E</p>

		<p>A. The domestic commissioner may confirm all preliminary defaults under La. C.C. Art. 103 in accordance with La. C.C.P. Art. 1702 E.</p> <p>1. To confirm a preliminary default under La. C.C. Art. 103(1) and La. C.C.P. Art. 1702(E), petitioner shall submit to the commissioner in chambers or in open court:</p> <p>a) The complete record;</p> <p>b) Affidavit of non-military service and non-covenant marriage;</p> <p>c) An affidavit executed by the petitioner within thirty (30) days of rendering the judgment attesting to facts sufficient to obtain a divorce. One affidavit containing all required facts may be submitted in lieu of multiple affidavits.</p> <p>d) The original and one or more copies of the proposed judgment;</p> <p>e) Notation from the clerk of court that no answer has been filed and that all costs have been paid.</p> <p>f) Certification by the petitioner which shall indicate the type and date of service made on the defendant and the date on which the preliminary default was entered.</p> <p>2. Nothing herein shall preclude the petitioner from proving his/her case by live testimony.</p> <p>JUDGMENTS OF DIVORCE IN CHAMBERS PURSUANT TO LA-C.C. ART. 103(1) AND LA-C.C.P. ART. 1702(E)</p> <p>Confirmation of default judgments may be rendered in chambers on petitions for divorce in accordance with the requirements of this Appendix.</p>
25 th J.D.C.	Plaquemines Parish	<p>Defaults in Separation and Divorce cases may not be confirmed, except upon the sworn testimony of at least two (2) witnesses, one of whom may be the plaintiff, and corroborating circumstances sufficient to establish the grounds charged.</p>
33 rd J.D.C.	Allen Parish	<p>A. A preliminary default may be entered in less than fifteen days as provided in Code of Civil Procedure Article 1701 as amended by Act 481 of 1985.</p> <p>B. To confirm a preliminary default under Louisiana Civil Code article 103(1) and Louisiana Code of Civil Procedure article 1702.E., petitioner shall submit to the Court in Chambers or in Open Court:</p> <p>(1) the record;</p> <p>(2) an affidavit executed by the petitioner after the rendering the judgment of preliminary default</p>

		<p>specifically attesting to and testifying as to the truth of all of the factual allegations contained in the petition; and</p> <p>(3) the original and one copy of the proposed judgment.</p> <p>B.. If no answer or other pleading has been filed by the defendant, the judge shall, after two days of the entry of preliminary default, exclusive of holidays, render and sign the judgment or direct that a hearing in open court be held.</p> <p>C. In the event that a hearing in open court is deemed necessary by the judge, the preliminary default shall not be confirmed except upon the testimony of the petitioner and one witness.</p> <p>D. A default judgment shall not be rendered on any issues pending in a summary proceeding.</p> <p>E. No default judgment will be rendered in any divorce or separation from bed and board, if there is a subsequent rule date pending.</p>
35 th J.D.C.	Grant Parish	<p>Defaults may not be confirmed except upon the testimony of two witnesses other than the plaintiff, or one witness besides the plaintiff and corroborating circumstances sufficient in the opinion of the Court, to establish the allegation made.</p>
36 th J.D.C.	Beauregard Parish	<p>A. To confirm a preliminary default under Louisiana Civil Code article 103(1) and Louisiana Code of Civil Procedure article 1702.E, petitioner shall submit to the Court in Chambers or in Open Court: (1) the record; (2) an affidavit executed by the petitioner after the rendering the judgment of preliminary default specifically attesting to and testifying as to the truth of all of the factual allegations contained in the petition; and (3) the original and one copy of the proposed judgment.</p> <p>B. If no answer or other pleading has been filed by the defendant, the judge shall, after two days of the entry of preliminary default, exclusive of holidays, render and sign the judgment or direct that a hearing in open court be held.</p> <p>C. In the event that a hearing in open court is deemed necessary by the judge, the preliminary default shall not be confirmed except upon the testimony of the petitioner and one witness; or when appropriate, by affidavit.</p> <p>D. A default judgment shall not be rendered on any issues pending in a summary proceeding.</p> <p>E. No default judgment will be rendered in any divorce or separation from bed and board, if there is a subsequent rule date pending.</p> <p>F. Defaults may not be confirmed in divorce actions if there are minor children and the parties have failed to attend the court ordered GRASP classes.</p>

37 th J.D.C.	Caldwell Parish	Defaults may not be confirmed in separation or divorce actions except upon the testimony of two witnesses other than the plaintiff, or one witness besides the plaintiff and other collaborating evidence sufficient in the opinion of the Court to establish the charges made.
39 th J.D.C.	Red River Parish	Defaults may be regularly confirmed as in other cases, after the legal delays from the regular service of the petition, and preliminary default taken. In such cases, default may not be confirmed except upon the testimony of two witnesses other than the plaintiff, or one witness besides the plaintiff, and corroborating circumstances sufficient, in the opinion of the Court, to establish the charges made.
Civil District Court	Orleans Parish	Confirmation of default shall be in accordance with law. The judgment of divorce must contain a certification from the Clerk of Court and the Civil Sheriff that all costs have been paid.

**APPENDIX 28.1A: COURT-SPECIFIC RULES CONCERNING ALLOWANCE OF
DIVORCE BY AFFIDAVIT IN A LA-C.C. ART. 103 DIVORCE UNDER LA-C.C.P. ART.
1702(E)**

COURT	PARISHES	JDC-SPECIFIC RULES ON ALLOWANCE OF DIVORCE BY AFFIDAVIT IN LA-C.C. ART. 103 DIVORCES
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	Confirmation of divorce under C.C. Art. 103(1) may be accomplished by affidavit in accordance with C.C.P. Art. 1702(E). In such instances, the mover's attorney shall complete the default confirmation under the C.C.P. Art 1702(E) checklist (Appendix 28.1B). The checklist and affidavit must accompany the filing of the Judgment of Divorce.
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">CONFIRMATION OF DEFAULTS AND UNCONTESTED MATTERS UNDER ARTICLE 103 OF THE CIVIL CODE IN ACCORDANCE WITH C.C.P. 969 AND 1702E</p> <p>Section A. This rule unless permission is granted otherwise, applies to:</p> <ol style="list-style-type: none"> 1. To all suits filed on or after 9-1-87; 2. To all suits for divorce under Article 103 of the Civil Code; and 3. To all confirmations of default judgments and all uncontested suits under the above previous (1) and (2). <p>Section B. DEFAULT CONFIRMATIONS UNDER ARTICLE 1702E C.C.P.</p> <ol style="list-style-type: none"> 1. To confirm a preliminary default, plaintiff must submit: <ul style="list-style-type: none"> (a). A petition; (b). An affidavit executed by the petitioner within 30 days of rendering the Judgment of the petitioner specifically testifying as to facts sufficient to obtain a divorce; and (c). The original and one copy of the proposed judgment. 2. Individuals representing themselves must appear in open court to obtain a Judgment of divorce. <ul style="list-style-type: none"> (a). These documents must be filed with the Court's docket clerks of the proper division with a cover letter indicating the action desired and DIVORCE FORM 1. Judgment will be signed and will include any ancillary relief stipulated to in the Judgment.

		3. If other relief is sought in addition to the divorce, the entire case must be fixed for hearing unless petitioner furnishes a sworn affidavit of defendant stipulating to the other relief.
22 nd J.D.C.	St. Tammany and Washington Parishes	Confirmation of divorce under La. C.C. Art. 103(1) may also be accomplished by affidavit in accordance with La. Code Civ. Proc. Art. 1702E. In such instances, the mover and/or mover's attorney shall complete the appropriate Default Confirmation Under Code of Civil Procedure Article 1702E form in Appendix 28.1B of the District Court Rules. The appropriate form and affidavit must accompany the filing of the Judgment of Divorce.

**LOUISIANA CIVIL CODE ARTICLE 103(1) DIVORCE
Certification for Default Confirmation under Louisiana Code of Civil Procedure Article 1702(E)**

Note: Must be completed by Petitioner or their attorney and submitted/filed with the Judgment of Divorce.

Petitioner
versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

A. Dates

1. Petition for Divorce: _____ Date Petition Filed
2. Parties physically separated: _____ Date of Separation
3. Service of the Petition:
 - a. If Sheriff's return is in the record, indicate date and type of service:
Personal/Domiciliary (*Circle one*) _____ Date of Service
If Domiciliary, then name of person served _____
OR OR
 - b. If a Waiver of Service is filed into the record, provide dates of execution and filing into the record:
_____ Date Waiver Executed
_____ Date Waiver Filed
_____ Date PD Entered
4. Preliminary default entered:
By Oral/Written Motion (*Circle one*)
5. Have two days, exclusive of holidays, elapsed since the entry of preliminary default, with no answer or opposition having been filed? Yes

B. Pleadings

1. Is the Petition for Divorce in the record? Yes
2. Are proper jurisdiction and venue expressly alleged in the Petition? Yes
3. Does the petitioner's Affidavit submitted or filed with the Judgment specifically attest to the facts sufficient to obtain a divorce or will testimony be offered in lieu thereof? Yes
4. If the Defendant has made an appearance in the case, was notice of the preliminary default sent to defendant by certified mail pursuant to La. C.C.P. Art. 1702A or has defendant waived notice? Yes
5. Are the original and one copy of the proposed final Judgment attached? Yes

C. Time Periods (La. C.C. Art. 103.1)

(Choose either #1 or #2)

1. The parties have minor children, and have been living separate and apart **365 days or more** without reconciliation. Yes
OR
2. The parties have been living separate and apart without reconciliation **180 days or more** and one of the following applies: (*Choose one of the following*)
 - A. There are no minor children of the marriage. Yes
OR
 - B. On __/__/20__ the court made a finding, pursuant to a rule to show cause, that the other spouse physically or sexually abused the spouse seeking divorce or a child of one of the spouses. Yes
OR
 - C. On __/__/20__ after a contradictory hearing, or consent decree, a protective order or injunction issued against the other spouse to protect the spouse seeking the divorce or a child of one of the spouses from abuse. Yes

PETITIONER'S/ATTORNEY'S CERTIFICATION

I hereby certify that I have examined the record in the above-captioned case and the information provided herein is true and correct based upon my personal knowledge, information and belief.

_____ Date of Record Examination	_____ Signed by Petitioner/Attorney for Petitioner	_____ Attorney's Bar Number
_____ Date of Certification	_____ Address	_____ Telephone Number

CLERK'S CERTIFICATION

Two days, exclusive of holidays, have elapsed since the preliminary default was entered and no answer or opposition has been filed.

Date _____
Signature of Minute Clerk

HEARING OFFICER RECOMMENDATION

Considering the record in this case, the submission of the petitioner/mover's counsel, it being the finding of the Hearing Officer that all legal requirements for granting a divorce under Louisiana Civil Code Article 103(1) have been met.

IT IS HEREBY recommended that the attached Judgment of Divorce be made the Order of this Court, no objection having been made by either party.

_____, Louisiana, this ____ day of _____, 20__.

Hearing Officer

APPENDIX 28.1C: COURTS THAT REQUIRE THE FILING OF A LA. C.C.P. ART. 1702(E) DIVORCE CHECKLIST

COURT	PARISHES	JDC-SPECIFIC RULES ON FILING OF A LA. C.C.P. ART. 1702(E) DIVORCE CHECKLIST
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	Confirmation of divorce under C.C. Art. 103(1) may be accomplished by affidavit in accordance with C.C.P. Art. 1702(E). In such instances, the mover's attorney shall complete the default confirmation under the C.C.P. Art 1702(E) checklist (Appendix 28.1B). The checklist and affidavit must accompany the filing of the Judgment of Divorce.
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	<p>After obtaining a judgment of preliminary default, a petitioner represented by counsel may obtain a final judgment of divorce without appearing in open court by submitting the necessary documents as required by law and the appropriate C.C.P. Art 1702(E) checklist (<i>see</i> Appendix 28.1B for form).</p> <p>Self-represented litigants must appear in open court after obtaining a judgment of preliminary default to obtain a final judgment of divorce pursuant to Louisiana Civil Code article 103.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	Confirmation of a default judgment of divorce under La. C.C. Art. 103(1) may also be accomplished by affidavit in accordance with La. Code Civ. Proc. Art. 1702E. In such instances, the mover and/or mover's attorney shall complete the appropriate divorce checklist (See Appendix 28.1B). The appropriate checklist and affidavit must accompany the filing of the Judgment of Divorce.
Civil District Court	Orleans Parish	After obtaining a judgment of preliminary default, a judgment of divorce may be obtained by submitting the necessary documents as required by law and a completed Appendix 28.1B 1702(E) Divorce Checklist. The filing of the checklist has the effect of a pleading and must be executed in good faith following an examination of the record. A Petition filed under La. C.C. Art. 102 will not suffice as the Petition for Divorce required by the Appendix 28.1B 1702(E) Divorce Checklist.

APPENDIX 28.2A: COURTS THAT REQUIRE THE FILING OF A LA. C.C.P. ART. 969(B) DIVORCE CHECKLIST

COURT	PARISHES	JDC-SPECIFIC RULES ON FILING OF A LA. C.C.P. ART. 969(B) DIVORCE CHECKLIST
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	A Judgment of divorce under C.C. Art. 103 (1) may be accomplished in accordance with C.C.P. Art. 969(B). In such instances, the attorney for one of the parties shall complete the uncontested divorce under the C.C.P. Art. 969(B) checklist (<i>see</i> Appendix 28.2B). The checklist must accompany the filing of the Judgment of Divorce.
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">CONFIRMATION OF DEFAULTS AND UNCONTESTED MATTERS UNDER ARTICLE 103 OF THE CIVIL CODE IN ACCORDANCE WITH C.C.P. 969 AND 1702E</p> <p>Section A. This rule unless permission is granted otherwise, applies to:</p> <ol style="list-style-type: none"> 1. To all suits filed on or after 9-1-87; 2. To all suits for divorce under Article 103 of the Civil Code; and 3. To all confirmations of default judgments and all uncontested suits under the above previous (1) and (2). <p>Section C. UNCONTESTED DIVORCES UNDER ARTICLE 969 C.C.P.</p> <ol style="list-style-type: none"> 1. If all parties are represented by retained counsel, and an answer has been filed, the petitioner or defendant in an uncontested case shall submit to the court: <ul style="list-style-type: none"> (a). A written joint stipulation of facts, request for judgment, and a sworn verification by each party; and (b). A proposed judgment containing a certification signed by both attorneys that each attorney and party agrees to the judgment's terms. 2. Individuals representing themselves must appear in open court to obtain a judgment of divorce. 3. These documents must be filed with the Courts' docket clerks of the proper division with a cover letter indicating the action desired and Divorce Form 2. Judgment will be signed and
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	If both parties are represented by counsel and an answer has been filed, the parties may request a judgment of divorce pursuant to a judgment on the pleadings or summary judgment by submitting the necessary documents required by law and the appropriate C.C.P.

		<p>Art. 969(B) checklist (<i>see</i> Appendix 28.2B).</p> <p>The proposed judgment may contain relief other than a divorce if stipulated to by both parties. If other relief is sought but not stipulated to by the parties, the parties may reserve their right to fix those matters for trial.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>A Judgment of Divorce under La. Civil Code Art. 103(1) may be accomplished in accordance with La. Code Civ. Proc. Art. 969(B)(<i>see</i> Appendix 28.2B). In such instances, the mover and/or mover's attorney shall complete the appropriate divorce checklist. The appropriate checklist and affidavit must accompany the filing of the Judgment of Divorce.</p>
24 th J.D.C.	Jefferson Parish	<p>If all parties are represented by counsel, and an answer has been filed, the petitioner or defendant in an uncontested case, shall submit to the court:</p> <p>A. A written joint stipulation of facts, request for judgment, and a sworn verification by each party;</p> <p>B. A proposed judgment containing a certification that counsel and each party agree to the terms thereof;</p> <p>C. The complete record.</p>
Civil District Court	Orleans Parish	<p>When a judgment of divorce is sought pursuant to La. C.C.P. Art. 969, the required documents must be accompanied by an Appendix 28.2B 969(B) Divorce Checklist completed by one of the attorneys.</p>

APPENDIX 28.2B: LA. C.C.P. ART. 969(B) DIVORCE CHECKLIST

**LOUISIANA CIVIL CODE ARTICLE 103(1)
Uncontested Divorce Under Code of Civil Procedure Article 969(B)**

Notice: Must be completed by Mover or their attorney and submitted/filed with the Judgment of Divorce.

Petitioner
versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

A. Dates

- 1. Petition for Divorce: _____ Date Petition Filed
- 2. Parties physically separated: _____ Date of Separation
- 3. Service of the Petition:
 - a. If Sheriff's return is in the record, indicate the date and type of service:
Personal/Domiciliary (Circle one) _____ Date of Service
If Domiciliary, then name of person served _____ .
 - OR
 - b. If a Waiver of Service is filed into the record, provide dates of execution and filing into the record: _____ Date Waiver Executed
_____ Date Waiver Filed
- 4. Answer filed: _____ Date of Answer

B. Pleadings

- 1. Is the Petition for Divorce in the record? Yes
- 2. Is proper jurisdiction and venue expressly alleged in the Petition? Yes
- 3. Are both parties represented by counsel? Yes
- 4. Has each party, through their counsel, filed a written joint stipulation of facts, request for judgment, and sworn verification? Yes
- 5. Have counsel for the parties filed a proposed judgment containing a certification that counsel and each party agree to the terms thereof? Yes

C. Time Periods (La. C.C. Art. 103.1)

(Choose either #1 or #2)

- 1. The parties have minor children, and have been living separate and apart **365 days or more** without reconciliation. Yes
OR
- 2. The parties have been living separate and apart without reconciliation **180 days or more** and one of the following applies: (Choose one of the following) OR
 - A. There are no minor children of the marriage. Yes
OR
 - B. On __/__/20__ the court made a finding, pursuant to a rule to show cause, that the other spouse physically or sexually abused the spouse seeking divorce or a child of one of the spouses. Yes
OR
 - C. On __/__/20__ after a contradictory hearing, or consent decree, a protective order or injunction issued against the other spouse to protect the spouse seeking the divorce or a child of one of the spouses from abuse. Yes

NOTICE: If an attorney for absent defendant has been appointed, this procedure cannot be used. Petitioner and the appointed attorney must appear in court.

MOVER'S/ATTORNEY'S CERTIFICATION

I hereby certify that I have examined the record in the above-captioned case and the information provided herein is true and correct based upon my personal knowledge, information and belief.

Date of Record Examination Signed by Petitioner/Attorney for Petitioner Attorney's Bar Number

Date of Certification Address Telephone Number

HEARING OFFICER RECOMMENDATION

Considering the record in this case, the submission of the parties or their counsel, it being the finding of the Hearing Officer that all legal requirements for granting a divorce under Louisiana Civil Code Article 103(1) have been met. IT IS HEREBY recommended that the attached Judgment of Divorce be made the Order of this Court, no objection having been made by either party.

_____, Louisiana, this ___ day of _____, 20__.

Hearing Officer

APPENDIX 28.3A: ACCEPTANCE OF WAIVER AND WAIVER OF SERVICE AND CITATION AND DELAYS IN A LA. C.C. ART. 103 DIVORCE (FORM)

_____ JUDICIAL DISTRICT COURT
VERSUS DOCKET NO. _____
_____ PARISH, LOUISIANA

PETITION FOR DIVORCE - CIVIL CODE ART. 103
ACCEPTANCE OF SERVICE, WAIVER OF CITATION AND DELAYS

STATE OF LOUISIANA

PARISH OF _____

BEFORE ME, the undersigned authority, personally came and appeared:

(Print name)

who after being duly sworn did depose and state that:

Affiant does formally and expressly: (1) acknowledge receipt of a **certified copy** of the Petition for Divorce filed pursuant to Civil Code Art. 103 in this proceeding; and accept service thereof; and (2) waives only the items initialed below:

- ___(a) the necessity of issuance of formal citation and service of process of the original petition;
- ___(b) all legal delays allowed by law, particularly those delays allowed for answering and/or excepting to the pleading pursuant to Code of Civil Procedure Articles 1001 and 1002;
- ___(c) notice of trial pursuant to Code of Civil Procedure Art. 1571 and appearance at trial; and
- ___(d) notice of the entry of the preliminary default pursuant to Code of Civil Procedure Art. 1702(A).

Affiant acknowledges that the signature hereon will allow mover to go forward with the merits of the divorce only in affiant's absence, and further understands that it is mover's intent to do so.

Sign your Name

Print your name

Sworn to and subscribed before me this _____ day of _____, 20_____.

NOTARY PUBLIC

Print name: _____

My commission expires: _____

APPENDIX 28.3B: COURTS THAT REQUIRE A SPECIFIC FORM FOR WAIVER OF SERVICE AND CITATION IN A LA-C.C. ART. 103 DIVORCE

COURT	PARISHES	JDC-SPECIFIC RULES REQUIRING USE OF A SPECIFIC FORM FOR WAIVER OF SERVICE AND CITATION IN A LA-C.C. ART. 103 DIVORCE
10 th JDC	Natchitoches Parish	<p>The following rules shall be observed with respect to separation and divorce cases:</p> <p>(a) In any civil matter, the defendant or his attorney therein may accept service and waive citation. In all other cases, citations should regularly issue thereon and service made according to law.</p>
24 th JDC	Jefferson Parish	<p>A. In conformity with La. C.C.P. Art. 1701(B), when a defendant in an action for divorce under La. C.C. Art. 103 (1), by sworn affidavit, acknowledges receipt of a certified copy of the petition and waives formal citation, service of process, all legal delays, notice of trial, and appearance at trial, a judgment of default may be entered against the defendant the day on which the affidavit is filed. The affidavit of the defendant may be prepared or notarized by any notary public. The judgment may be obtained by oral motion in open court or by written motion mailed to the court, either of which shall be entered in the minutes of the court, but the judgment shall consist merely of an entry in the minutes. Notice of the signing of the final judgment as provided in La. C.C.P. Art. 1913 is not required.</p> <p>B. Waiver of service may not be signed or filed until the affiant receives a certified copy of the filed petition. (<i>See</i> C.C.P. Art. 1701 (B)).</p> <p>C. Waiver of service and notice of a La. C.C. Art. 103 divorce petition shall be accomplished by the use of the Appendix 28.3A form.</p>

**APPENDIX 29.0B: APPLICATION FOR EX PARTE TEMPORARY CUSTODY ORDER –
CERTIFICATION BY APPLICANT’S ATTORNEY IN COMPLIANCE WITH LA. C.C.P. ART. 3945(B)**

**APPLICATION FOR EX PARTE TEMPORARY CUSTODY ORDER
Certification by Applicant’s Attorney In Compliance With La. C.C.P. Art. 3945(B)**

Petitioner
 versus

DOCKET NUMBER: _____

Respondent

PARISH OF _____

Note: Must be completed by mover’s attorney and filed with the application for *ex parte* application for temporary custody order.

I, _____, attorney representing _____,
petitioner/applicant for temporary *ex parte* order, certify to the court that:

- (a) The following efforts have been made to give the defendant/respondent reasonable notice of the date and time the order is being presented to the court:

_____; **or**
(Attach supplemental pages, if necessary)

- (b) Notice is not required because:

(Attach supplemental pages, if necessary)

Please print name

Signed by _____ (Attorney)

Address

City/State

Telephone/Facsimile Numbers

Bar #

APPENDIX 29.0C: COURT-SPECIFIC RULES CONCERNING EX PARTE CUSTODY ORDERS

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING EX PARTE CUSTODY ORDERS
1 st J.D.C.	Caddo Parish	<p><i>See Appendices 29.0A and 29.0B for Application for Ex Parte Temporary Custody Order forms. The following form may also be used:</i></p> <p>AFFIDAVIT TO BE ATTACHED TO PETITIONS SEEKING EX PARTE PROVISIONAL CUSTODY AWARDS PRIOR TO HEARINGS FOR TEMPORARY CUSTODY (INITIAL FIXINGS ONLY)</p> <p>STATE OF LOUISIANA</p> <p>PARISH OF CADDO</p> <p>BEFORE ME, the undersigned authority, personally appeared: _____, who being duly sworn, stated under oath that:</p> <p>(1) I have read the foregoing petition and all facts contained therein are true and correct.</p> <p>(2) My spouse and I physically separated on _____ .</p> <p>(3) Immediately prior to separation, my spouse and I resided together at _____ .</p> <p>(4) For the last six (6) months, the child/children has/have resided with _____ at _____ .</p> <p>(5) The child/children is/are presently in my physical custody and has/have been since _____ .</p> <p>(6) I obtained the child/children in the following manner (describe where, when and how obtained, and other special circumstances): _____ .</p> <p>(7) I desire provisional custody of the child/children for the following reasons: _____ .</p> <p>(8) To my knowledge, there are no other custody orders in existence.</p> <p>(9) I agree to my child/children’s temporary visitation with my spouse as follows: _____ .</p> <p>—or—</p> <p>(9) I do not agree to a temporary visitation arrangement for the following reasons: _____ .</p> <p style="text-align: center;">_____ Affiant</p>

		<p>SWORN TO AND SUBSCRIBED before me, Notary Public, at _____, Louisiana, on this the _____ day of _____, 20____</p> <p style="text-align: center;">_____ Notary Public</p>
2 nd J.D.C.	Bienville, Claiborne, and Jackson Parishes	All petitions seeking an ex parte order for provisional custody of children shall be accompanied by a separate affidavit of the party seeking provisional custody (similar to that appearing in Appendices 29.0A and 29.0B), setting forth all the facts surrounding when, where, how, and under what circumstances the child or children have been in the petitioner's physical custody and the reasons why the petitioner is requesting an ex parte order for provisional custody.
4 th J.D.C.	Morehouse and Ouachita Parishes	<p>A. All pleadings seeking an ex parte order for temporary custody of children must be accompanied by a separate affidavit of the party seeking custody, setting forth all the facts surrounding when, where, how and under what circumstances physical custody of the child was obtained, and why an ex parte order for temporary custody is being sought. Said pleadings shall also refer to any prior or ongoing actions by the State of Louisiana Child Protective Services, if known, involving the same parties, even if with different children.</p> <p>B. In all cases in which there has been no prior award of custody, the pleadings must first be presented to the Clerk of Court for filing and allotment to a Section, if no allotment has been made previously. Once the case has been allotted to a section, then the order must be presented to that judge for signing.</p> <p>C. If custody has been awarded, an ex parte order to change custody must be presented to the judge who signed the original custody order, unless the custody order was obtained through a proceeding in motion hour and was not signed by the judge to whom the case was allotted. No ex parte order modifying a previous custody award shall be considered unless said order is necessary to protect the children from a clear and present danger of abuse and/or neglect, or unless immediate and irreparable injury is likely to result to the children if an order is not granted.</p> <p>D. When presenting an order to a judge containing a request for an ex parte custody award in an existing record, the attorney shall make arrangements with the Clerk of Court to obtain the record for the judge's review.</p>
6 th J.D.C.	East Carroll, Madison, and Tensas Parishes	All petitions seeking an ex parte order for provisional custody of children shall be accompanied by a separate affidavit of the party seeking provisional custody (similar to the forms in Appendices 29.0A and 29.0B), setting forth all the facts surrounding when, where, how, and under what circumstances the child or children have been in the petitioner's physical custody and the reasons why the petitioner is requesting an ex parte order for provisional custody.
11 th J.D.C.	Sabine Parish	All petitions seeking ex parte order for provisional custody of children shall be accompanied by a separate affidavit of the party seeking custody setting forth how long the child or children have been in the petitioner's custody and in what manner the physical custody was obtained. <i>See</i> Appendices 29.0A and 29.0B.
14 th J.D.C.	Calcasieu Parish	A. All requests for ex parte custody shall strictly comply with La. R.S. 46:2135, La. C. Civ. Proc. Art. 3945, or La. Ch. C. Art. 1564, and shall be accompanied by the forms in Appendices 29.0A and 29.0B. All requests for ex parte custody orders shall be filed

		<p>with the Clerk of Court prior to presenting it to the Court. Ex parte requests shall not be presented to the Court without advance notice.</p> <p>B. All requests for ex parte custody shall be presented in Family Court Motion Hour when possible. In addition to the forms in Appendices 29.0A and 29.0B, there must be at least one (1) non-party affidavit attesting to the facts or documents in support of the ex parte request.</p> <p>C. If an ex parte change of custody order is sought when a prior legal custody order exists, this information shall be noted in the ex parte request and the suit record must accompany the request. If an ex parte request was previously made, this information shall be noted in the ex parte request, as well as the Judge to whom it was presented and any orders or decisions made by the Judge.</p>
<p>15th J.D.C.</p>	<p>Acadia, Lafayette, and Vermilion Parishes</p>	<p>A. All requests for ex parte child custody must be pled in accordance with one of the following statutes:</p> <p>(1) La. R.S. 46:2131 et seq., Domestic Abuse Assistance Act;</p> <p>(2) La. R.S. 9:361, 363, 364, Post Separation Family Violence Relief Act;</p> <p>(3) La. C.C.P. Art. 3945, Incidental Order of Child Custody;</p> <p>(4) La. Ch. Code 1564, et seq., Domestic Abuse Assistance Act; or</p> <p>(5) Any other statute expressly permitting such relief.</p> <p>B. If an ex parte change of custody order is sought when a prior legal custody order exists, the suit record must accompany the application. If a prior application was sought, reference should be made to such an order; to what Judge, and what order or decision was made thereon. Orders of ex parte custody and visitation shall be given no weight at merits hearing on child custody or visitation.</p> <p>C. The petitioner, must by affidavit or verified petition, set out in detail all the facts that establish why immediate and irreparable injury will result to the child; when, where, how, and under what circumstances he or she has obtained the physical custody of the child and why he/she is requesting legal custody, or, if not in their physical custody, why they feel they should be entitled to it. If represented by counsel, the application must be accompanied by counsel's certificate. All applications for ex parte custody shall include the Appendix 29.0A <i>Affidavit of Mover in Compliance with La. C.C.P. art. 3945(B)</i> and Appendix 29.0B <i>Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B)</i>.</p> <p>D. If an ex parte change of custody order is sought when a prior legal custody order exists, the suit record must accompany the application. If a prior application was sought, reference should be made to such an order; to what Judge, and what order or decision was made thereon. If new facts exist, they should be stated and brought to the attention of the court. In addition to the certificate and/or affidavit required in above, there must be at least one (1) non-party affidavit attesting to the facts in support of the ex parte modification order.</p> <p>E. Any Order granting temporary ex parte custody shall contain a provision which prohibits both parents (parties) from changing the child's residence from the jurisdiction of the court.</p> <p>F. The petition shall provide for a Rule to Show Cause in the proper division and</p>

		<p>except for good cause shown or where prohibited by law, the application must provide for visitation substantially in compliance with La. C.C.P. art. 3945.</p> <p>G. The provisions of this Rule do not apply to any order of custody of a child requested in a verified petition alleging the applicability of the Domestic Assistance Act R.S. 46:2131 et seq. Children’s Code Article 1564 et seq. or the Post Separation Family Violence Relief Act, R.S. 9:361 et seq.</p> <p>H. On the motion of a party, or on its own motion, the Court may impose appropriate sanctions pursuant to La. C.C.P. art. 863D for certifications that are not based in good faith.</p>
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p>EX PARTE CUSTODY ORDERS CIVIL WARRANTS, TEMPORARY PROVISIONAL CUSTODY AND VISITATION RIGHTS</p> <p>Section A. All applications for ex-parte custody shall comply with Louisiana Code of Civil Procedure article 3945 and shall be presented on the form incorporated in the section of these rules on FORM(S) E AND F.</p> <p>Section B. Applicants shall notify the court of the intent to appear and present the application. All applications shall be delivered to the Judge within a reasonable time for review.</p> <p>Section C. If an ex-parte change of custody is sought, the record must accompany the application.</p> <p>Section D. Any order granting temporary ex-parte custody shall contain a provision which prohibits both parents (parties) from changing the child's/children's residence from the 18th JDC. If the 18th JDC is not the residence of the child at the time the order is presented to the duty judge, such fact shall be called to his/her attention.</p> <p>Section E. The petition shall provide for a rule to show cause in the proper division.</p> <p>Section F. Applications for Civil Warrants shall be presented to the judge.</p> <p>Section G. The Hearing Officer may make recommendations at the Intake Conference on application for ex-parte custody and to extend or modify the Temporary/provisional custody and visitation orders. If the hearing officer is unavailable presentation shall be made to the appropriate Judge.</p>
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	<p>1. All applications for ex-parte custody shall strictly comply with Louisiana Code of Civil Procedure article 3945 and be accompanied by the forms located in Appendices 29.0A and 29.0B (<i>Application for Ex Parte Custody Order with Certification of Attorney</i>).</p> <p>2. <i>Ex parte</i> custody applications must be noticed to the Court by 10:00 a.m., and pleadings must be presented to the Court and the opposing side for review no later than noon of the same day. If, for good cause, the petitioner cannot present the pleadings to the defendant by this time, the petitioner shall present the pleadings to the defendant before the hearing. All pleadings must be filed with the Clerk of Court prior to the hearing. Failure to comply with this rule may result in the matter being passed.</p> <p>3. All applications shall be presented to the duty judge in his courtroom at 2:00</p>

		<p>p.m. on any scheduled duty day, unless another time is specified by the judge on duty on that day. At that time, the defendant may present any rebuttal evidence.</p> <p>4. All orders granting temporary ex parte custody shall contain a provision which prohibits both parties from changing the child(ren)'s residence from East Baton Rouge Parish. If East Baton Rouge Parish is not the residence of the child at the time the order is presented to the duty judge, such fact shall be called to his attention.</p> <p>5. All orders granting temporary ex parte custody shall provide for a rule to show cause for a custody determination in the proper division following the ex parte hearing. The orders shall also contain at least ten blank lines to allow the Court to write in the full ruling.</p> <p style="text-align: center;">CIVIL WARRANTS</p> <p>1. All applications for civil warrants shall be presented to the judge presiding in the division where the matter has been allotted. If the division judge is unavailable, civil warrants should be presented to the duty judge, who may address the matter or reserve it for presentation to the division judge.</p> <p>2. All applications for civil warrants must strictly comply with the provisions of Louisiana Revised Statutes § 9:343, including attaching copies of all custody judgments currently in effect to the application.</p>
21 st J.D.C.	Livingston, St. Helena, and Tangipahoa Parishes	Ex parte custody orders shall be accompanied by a certification by the clerk of court that no contrary pleading/order has been filed within the past thirty (30) days. <i>See Appendix 29.0A Application for Ex Parte Custody Order and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B).</i>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>A. If an <i>ex parte</i> change of custody order is sought when a prior legal custody filing exists, the mover or their attorney must reference in their pleading any prior filings in the parish in which the order is sought. If prior filings have been filed outside the parish of the current filing, the mover or their attorney must attach a copy of all pleadings and orders concerning the issues. If a prior application for ex parte custody was sought in connection with the allegations, reference is to be made to such a pleading in the application, which identifies the Judge to whom the prior application or order was submitted, and which must state the order or decision rendered thereon.</p> <p>B. Each <i>ex parte</i> application must be accompanied by the Appendix 29.0A <i>Affidavit of Mover in Compliance with La. C.C.P. art. 3945(B)</i> and the Appendix 29.0B <i>Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B)</i> before an order will be considered.</p>
23 rd J.D.C.	Ascension, Assumption, and St. James Parishes	<p>A. In all cases where there has been no prior award of custody, no ex parte custody order will be signed, unless the mover attaches the following affidavit to petitions seeking ex parte custody awards prior to hearings for temporary custody (initial fixings only):</p> <p style="text-align: center;">STATE OF LOUISIANA</p>

PARISH OF ASCENSION

BEFORE ME, the undersigned authority, personally, appeared, _____, who being duly sworn, stated under oath that:

1. I have read the foregoing petition and all facts contained therein are true and correct.

2. My spouse and I physically separated on _____.

3. Immediately prior to separation, my spouse and I resided together at _____.

4. For the last six (6) months the child(ren) have resided with _____, at _____.

5. The child(ren) are presently in the physical custody of _____, and have been since _____.

6. I/he/she obtained them in the following manner: (describe where, when and how obtained, and other special circumstances.)

7. I desire temporary custody of the child(ren) for the following reasons:

8. To my knowledge, there are no other custody orders in existence. (If such do exist, must comply with ex parte change rule)

9. I agree to my child(ren)'s temporary visitation with my spouse every other weekend from 6:00 p.m. Friday to 6:00 p.m. Sunday.

Or

I do not agree to a temporary visitation arrangement for the following reasons:

10. I certify that efforts have been made to give the adverse party reasonable notice of the date and time such order is being presented to the court or that notice should not be required for the following reasons:

11. I fully understand that if I am not telling the truth in this affidavit, I may be charged with perjury and tried in a criminal proceeding. If I am found guilty, I can be imprisoned for five (5) years or fined up to \$1,000.00 or both.

Signature

		<p style="text-align: center;">*****</p> <p>B. If custody has been awarded, an ex parte order to change custody shall be presented only to the judge who signed the original custody order. No ex parte order changing a previous custody award shall be considered unless an ex parte order is necessary to protect the child or children from the clear and present danger of abuse, neglect or other seriously detrimental conditions.</p>
24 th J.D.C.	Jefferson Parish	<p style="text-align: center;">PROVISIONAL/TEMPORARY CUSTODY</p> <p>A. Provisional/temporary custody is defined as custody on a temporary basis for a defined period or pending completion of a condition precedent or subsequent.</p> <p>B. The injunctive relief afforded either party to an action for divorce or other proceeding which includes a provision for the provisional/temporary custody of a minor child shall be governed by the additional provisions of La. C.C.P. Art. 3945.</p> <p>C. All pleadings seeking an order for provisional/temporary custody shall be assigned to a domestic commissioner and a district judge and shall be set and heard in conformity with the rules set forth in the 24th J.D.C.'s Appendix 32.0B.</p> <p style="text-align: center;">EX PARTE CUSTODY ORDERS</p> <p>A. An ex parte order of provisional/temporary custody of a minor child shall not be granted unless it complies with all provisions of La. C.C.P. Art. 3945.</p> <p>B. All ex parte applications for immediate provisional/temporary custody and visitation rights shall be pled under one of the following statutes:</p> <ol style="list-style-type: none"> 1. La. R.S. 46:2131 et seq., Domestic Abuse Assistance Act; 2. La. R.S. 9:361, 363, 364, Post Separation Family Violence Relief Act; 3. La. R.S. 9:372; 4. La. C.C.P. Art. 3601, et seq.; 5. La. C.C.P. Art. 3945. <p>C. All pleadings seeking an ex parte order for temporary/provisional custody shall be assigned to a domestic commissioner and a district judge and shall be set and heard in conformity with the rules set forth in the 24th J.D.C.'s Appendix 32.0B. <i>See Appendix 29.0A Application for Ex Parte Custody Order and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B).</i></p>
26 th J.D.C.	Bossier Parish	<p>All petitions seeking an ex parte order for provisional custody of children shall be in accordance with Louisiana Code of Civil Procedure Article 3945 and shall be accompanied by an affidavit of the party seeking custody setting forth how long the child or children have been in the petitioner's custody and in what manner the physical custody was obtained. <i>See Appendix 29.0A Application for Ex Parte Custody Order and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B).</i></p>
28 th J.D.C.	LaSalle Parish	<p>A. All applications for ex parte custody orders (except domestic violence protection orders) shall be by Appendix 29.0A <i>Application for Ex Parte Custody Order with Certification of Attorney</i>. Specific facts and not merely conclusions must be set</p>

		<p>forth.</p> <p>B. All civil warrants for delivery of children for custody or visitation shall include a specific reference to the date of the order upon which it is based as well as plans for the time of execution of the civil warrant.</p> <p>C. The court may grant interim custody and/or visitation orders if a full hearing on the issues cannot be held and there is demonstrated a need for immediate access of the applicant to the child(ren). In such event, at a subsequent hearing custody and/or visitation may be modified without the necessity of showing any change in circumstances.</p>
31 st J.D.C.	Jefferson Davis Parish	All petitions seeking ex parte order for provisional custody of children shall be accompanied by a separate affidavit of the party seeking custody setting forth how long the child or children have been in the petitioner's custody and in what manner the physical custody was obtained. <i>See Appendix 29.0A Application for Ex Parte Custody Order and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B).</i>
33 rd J.D.C.	Allen Parish	<p>All petitions seeking an ex parte order for provisional custody of children shall be accompanied by the following documentation:</p> <p>(1) separate affidavit of counsel for applicant in compliance with Louisiana Code of Civil Procedure Article 3945(B)(2)(b). Such affidavit of counsel shall be accompanied with copies of the written notices given to the adverse party with certification that mailing address is correct and proof of mailing at least 48 hours prior to application for ex parte custody;</p> <p>(2) A separate affidavit of the party seeking custody setting forth the following information:</p> <ul style="list-style-type: none"> (a) that immediate and irreparable injury will result to the child unless ex parte custody is granted because of specifically stated facts as well as applicant's reason for seeking ex parte custody. (b) the length of time that children have been in applicant's custody and the manner in which physical custody was obtained. (c) that to the best of applicant's knowledge no other custody orders are in existence. (d) that the applicant agrees to provide for alternating weekend visitation with the non-custodial parent unless the health or safety of the child would be endangered by such visitation; in the latter case applicant shall detail the facts to support the allegations of endangerment, and where possible, provide for a supervised visitation plan allowing the non-custodial parent weekly contact of not less than two hours. (e) the following statement: "I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subject to penalties of up to five years imprisonment and fines of up to \$1,000.00, or both." <p>The order of ex parte custody shall provide for the alternating weekend visitation or such other supervised visitation as may be proposed by the applicant.</p>

The order shall also provide that the award of ex parte custody shall automatically terminate within fifteen (15) days of the issue.

The affidavit to be attached to petitions seeking ex parte custody awards prior to rule hearing for temporary custody is as follows (similar form appears Appendices 29.0A and 29.0B):

AFFIDAVIT FOR EX PARTE CUSTODY

BEFORE ME, the undersigned authority, personally came and appeared _____, who, after being duly sworn, stated under oath that:

I have read the forging petition for divorce, and all of the allegations of fact contained therein are true and correct.

My spouse and I physically separated on _____.

Immediately prior to separation, my spouse and I resided together at _____.

Since _____ the child(ren) have been in the physical custody of and resided with _____ at _____.

I/he/she obtained them in the following manner: (describe where, when, and how obtained, and other special circumstances)

_____.

I desire immediate custody of the child(ren) for the following reasons:

_____.

To my knowledge, there are no other custody orders in existence.

I agree to my child(ren)'s temporary visitation with my spouse every other weekend from 6:00 p.m. on Friday to 6:00 p.m. on Sunday.

OR

I do not agree to a temporary visitation arrangement for the following reasons: (specific facts must be stated which would indicate that the health or safety of the child would be endangered)

_____.

I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subjected to penalties of up to five years imprisonment and fines of up to \$1,000.00, or both.

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME this ___ day of _____, 20__.

	<p style="text-align: center;">_____ NOTARY PUBLIC</p>
<p>36th J.D.C.</p>	<p>All petitions seeking an ex parte order for provisional custody of children shall be accompanied by the following documentation:</p> <p>(1) A separate affidavit of counsel for applicant in compliance with Louisiana Code of Civil Procedure 3945(B)(2)(b), such affidavit of counsel shall be accompanied with copies of the written notices given to the adverse party with certification that mailing address is correct and proof of mailing at least 48 hours prior to application for ex parte custody;</p> <p>(2) A separate affidavit of the party seeking custody setting forth the following information:</p> <p>(a) that immediate and irreparable injury will result to the child unless ex parte custody is granted because of specifically stated facts as well as applicant's reason for seeking ex parte custody.</p> <p>(b) the length of time that the children have been in applicant's custody and the manner in which physical custody was obtained.</p> <p>(c) that to the best of applicant's knowledge no other custody orders are in existence.</p> <p>(d) that the applicant agrees to provide for alternating weekend visitation with the non-custodial parent unless the health or safety of the child would be endangered by such visitation; in the latter case applicant shall detail the facts to support the allegations of endangerment, and where possible provide for a supervised visitation plan allowing the non- custodial parent weekly contact of not less than two hours.</p> <p>(e) the following statement: "I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subject to penalties of up to five years imprisonment and fines of up to \$1000.00, or both."</p> <p>The order of ex parte custody shall provide for the alternating weekend visitation or such other supervised visitation as may be proposed by the applicant.</p> <p>The order shall also provide that the award of ex parte custody shall automatically terminate within fifteen (15) days of issue.</p> <p style="text-align: center;">*****</p> <p style="text-align: center;">AFFIDAVIT TO BE ATTACHED TO PETITIONS SEEKING EX PARTE CUSTODY AWARDS PRIOR TO RULE HEARING FOR TEMPORARY CUSTODY</p> <p style="text-align: center;">STATE OF LOUISIANA PARISH OF BEAUREGARD</p> <p style="text-align: center;">AFFIDAVIT FOR EX PARTE CUSTODY</p> <p>BEFORE ME, the undersigned authority, personally came and appeared _____, who being duly sworn stated under oath that:</p> <p>I have read the foregoing petition for separation/divorce, and all of the allegations of fact contained therein are true and correct.</p>

		<p>My spouse and I physically separated on _____.</p> <p>Immediately prior to separation, my spouse and I resided together at _____.</p> <p>Since _____ the child(ren) have been in the physical custody of and resided with _____ at _____.</p> <p>I/he/she obtained them in the following manner: (describe where, when and how obtained, and other special circumstances) _____.</p> <p>I desire immediate custody of the child(ren) for the following reasons: _____.</p> <p>To my knowledge, there are no other custody orders in existence.</p> <p>I agree to my child(ren)'s temporary visitation with my spouse every other weekend from 6:00 p.m. on Friday to 6:00 p.m. on Sunday.</p> <p style="text-align: center;">OR</p> <p>I do not agree to a temporary visitation arrangement for the following reasons: (specific facts must be stated which would indicate that the health or safety of the child would be endangered) _____.</p> <p>I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subjected to penalties of up to five years imprisonment and fines of up to \$1000.00, or both.</p> <p>_____</p> <p>AFFIANT</p> <p>SWORN TO AND SUBSCRIBED BEFORE ME this _____ day of _____, 19____.</p> <p>_____</p> <p>NOTARY PUBLIC</p>
<p>Civil District Court</p>	<p>Orleans Parish</p>	<p>A. If an ex parte order of temporary custody is sought when a prior legal custody order exists, the suit record must accompany the application. If a prior application was sought, reference should be made to such application and what order or decision was made thereon. All applications for ex parte custody shall include an Appendix 29.0A <i>Application for Ex Parte Custody Order</i> and the Appendix 29.0B <i>Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B)</i>.</p> <p>B. All applications for ex parte custody shall be presented to the Judge to whom the case is assigned rather than to the Duty Judge.</p> <p>C. All applications for ex parte custody shall include an Order setting a Rule to Show Cause in the proper division and, except for good cause shown or where prohibited by law, the application must provide for visitation in compliance with La. C.C.P. Art. 3945.</p> <p>D. On motion of a party, or on its own motion, the Court may impose appropriate sanctions pursuant to La. C.C.P. Art. 863D for certifications that are not made in good</p>

		faith.
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APPENDIX 29.1: COURT-SPECIFIC RULES CONCERNING TEMPORARY CUSTODY ORDERS

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING TEMPORARY CUSTODY ORDERS
1 st J.D.C.	Caddo Parish	Interim orders for custody, child support (as per C.C. Art. 141), alimony, and other incidental relief may be issued at the discretion of and in the manner directed by the judge. An interim order shall be without prejudice to either party in subsequent proceedings.
24 th J.D.C.	Jefferson Parish	<p>A. Interim custody is defined as non-emergency custody, without prejudice, pending a final determination of the issue.</p> <p>B. The court may grant interim custody and/or visitation orders if a full hearing on the issues cannot be held and there is demonstrated a need for present access of the applicant to the child(ren). In such event, at a subsequent hearing, custody and/or visitation may be modified without the necessity of showing any change in circumstances.</p> <p>C. A custody hearing may be closed to the public pursuant to La. C.C. Art. 135.</p> <p>D. In any custody proceeding upon the motion of any party, the recommendation of the hearing officer, or on its own motion, for good cause shown, the court may order an evaluation by a mental health professional pursuant to La. R.S. 9:331.</p> <p>E. The court for good cause shown may, after a contradictory hearing, order a party in a custody or visitation proceeding to submit to specified drug tests and the collection of hair, urine, tissue and blood samples pursuant to La. R.S. 9:331.1.</p> <p>F. The court may order the parties to mediate their differences in a custody or visitation proceeding pursuant to La. R.S. 9:332, et seq.</p> <p>G. All petitions seeking interim or final custody shall be assigned to a domestic hearing officer and a district judge and shall be set and heard in conformity with the rules set forth in the 24th J.D.C.'s Appendix 32.0B.</p>

APPENDIX 29.2A: JOINT CUSTODY PLAN – WITH DOMICILIARY PARENT

(NOTE: This plan contains suggested language only. It may be modified as each court sees fit.)

_____ JUDICIAL DISTRICT COURT
VERSUS DOCKET NO. _____
_____ PARISH, LOUISIANA

JOINT CUSTODY PLAN – WITH DOMICILIARY PARENT

The following *Joint Custody Plan* is ordered by the court in accordance with the court’s written reasons/oral reasons issued on _____, in the above-captioned and numbered proceeding.

As used herein, the term “parent” refers to a natural or biological parent of the child(ren) or to a person named by the court as a custodian of the child(ren).

Full Name of Parents:	Relationship to Child(ren):

Full Name of Child(ren):	Date of Birth:

Accordingly, IT IS ORDERED, ADJUDGED AND DECREED that:

The parents shall exchange information concerning the health, education, and welfare of the child(ren) and shall confer with one another in exercising decision-making authority. *See* La. R.S. 9:336. After conferring, the domiciliary parent shall have the authority to make all final decisions affecting the child(ren) unless this *Joint Custody Plan* provides otherwise. All major decisions made by the domiciliary parent concerning the child(ren) shall be subject to review by the court upon the motion of the other parent. It shall be presumed that all major decisions made by the domiciliary parent are in the best interest of the child(ren). *See* La. R.S. 9:335(B)(3).

A. CUSTODY

_____ and _____ are awarded joint custody of the child(ren).

_____ is named the domiciliary parent and _____ as the non-domiciliary parent.

1. School Year Custodial Schedule

During the school year, the non-domiciliary parent shall have custodial periods with the child(ren) as follows:

The domiciliary parent shall have physical custody of the child(ren) at all times not specifically allocated to the non-domiciliary parent herein.

2. Summer Custodial Schedule

During the summer months, the parents shall enjoy custodial periods with the child(ren) as follows:

3. Holiday Custodial Schedule

The parents shall alternate or share the physical custody of the child(ren) for the following holiday periods:

Notwithstanding the foregoing, the child(ren) shall spend every Mother's Day weekend with their MOTHER, and shall spend every Father's Day weekend with their FATHER. In addition, the child(ren) shall spend every mother's birthday with their MOTHER, and shall spend every father's birthday with their FATHER.

In the event a holiday consists of a Monday, such as Martin Luther King Day, Memorial Day, Independence Day, Labor Day, etc., the parent having custody of the child(ren) for the weekend immediately preceding the holiday shall also have custody of the child(ren) through the holiday, and if the child(ren) are to be returned to the custody of the other parent, it shall be at the usual time and location.

It is specifically understood and agreed that the holiday and Mother's Day/Father's Day custodial periods shall supersede the regular custodial periods of the parents set forth above.

4. Vacation Custodial Schedule

Both parties shall have vacation options with the children each year. They shall notify each other in writing of their vacation plans a minimum of 30 days prior to departure. The party giving written notice first shall have first priority to dates selected. Each shall provide the other with a basic itinerary to include travel dates, destinations, and a telephone number for emergency purposes. Travel is not necessary for a party to spend vacation time with the children; “staycations” are allowed.

During each calendar year, each party shall be entitled to enjoy up to fourteen (14) vacation days with the children, to be taken in increments of up to ____ days at a time.

Except for said period(s), the regular parenting time provided elsewhere herein, shall continue as though it had never been interrupted.

Neither party may take a vacation with the children which requires that the children miss any amount of school or which interferes with the enjoyment of a specified holiday or special occasion parenting time of the other party, without the agreement of the other party.

B. OUT-OF-STATE/OUT-OF-TOWN TRAVEL

Either parent may be away from home overnight with the child(ren). However, that parent shall notify the other parent at least forty-eight (48) hours in advance, if practicable, of the name and location where the parent and child(ren) will be lodging and a telephone number where the parent and/or child(ren) can be reached.

In the event either parent will be away from their regular place of residence without the children for twenty-four (24) hours or longer while the child(ren) are scheduled to be in the physical custody of said parent, that parent shall offer the other parent the right to care for the child(ren) should the occasion arise. In the event the other parent not enjoying the physical custody of the child(ren) cannot care for the child(ren), the parent with physical custody shall arrange for an appropriate caregiver. In such an event, the other parent shall be advised in advance of the location of the child(ren) and a telephone number where the child(ren) can be reached.

C. RIGHT OF ACCESS AND INFORMATION

When one parent is exercising physical custody of the child(ren), the other parent shall have the right of access by telephone at reasonable times and intervals.

The parents are to communicate concerning all factors affecting the health, education and welfare of the child(ren). Cost of long distance communication shall be borne by the parent initiating same. The parents are encouraged to consult with each other by telephone or by correspondence such as e-mail, texting, and/or social media if personal conferences are impractical in an effort to mutually agree in regard to the general health, welfare, education, and

development of the child(ren) in order that they may mutually adopt a harmonious policy in rearing the child(ren).

The child(ren) shall have complete and full access to communication with each parent. No communication shall be intercepted, censored, or monitored unless ordered by the court. Neither parent shall restrict the right of the other parent without physical custody to reasonable telephone access and communication with the child(ren) during reasonable hours.

All information regarding school, report cards, conferences, trips, functions, meetings, etc., shall be furnished to the other parent as either parent receives the same.

All medical and other information regarding the child(ren)'s health and welfare shall be furnished to the other parent as either parent receives the same.

The parents shall not communicate through the child(ren), or third parties, or use the child(ren) because they refuse to communicate.

Either parent shall be entitled to immediate access from third parties of records and information pertaining to the child(ren), without permission from the other, including but not limited to, medical, dental, health, and school, psychological and educational records.

Unless otherwise ordered by the court, each party shall always keep the other informed of his/her actual address of residence, mailing address if different, business address, e-mail address, home, work, and cellular telephone numbers, and of any changes to same within twenty-four hours of such change occurring.

D. MEDICAL AND DENTAL

As the domiciliary parent, _____, shall have the authority to decide which health care providers shall treat the child(ren) for conditions of a non-emergency nature after first conferring with the non-domiciliary parent. The domiciliary parent shall advise the non-domiciliary parent of the name, address and telephone numbers of the health care providers that are to be utilized to treat the child(ren). Each parent shall inform the other as soon as practicable as to any emergency medical or dental treatment of the child(ren), as well as routine doctor and dental appointments. Spouses and significant others shall/shall not (circle one) be present at doctor and dental appointments.

In the event the non-domiciliary parent does not agree to the medical or dental care and treatment of the child(ren) that is of a non-emergency nature, he/she may only prevent the medical or dental care and treatment by filing a rule to show cause with the court.

The parent who fills prescription medication for the child(ren) shall transfer said medication to the other parent at the time the child(ren) are exchanged. Prescription medication shall be returned to the other parent with the child(ren) at the end of each parent's custodial period. The child(ren) shall be given medication as directed, i.e., the prescribed dosage at the appropriate intervals.

Pursuant to La. R.S. 9:351, each parent is entitled to access to all medical, dental, and treatment records and information pertaining to the child(ren), which shall not be denied to a parent solely because the requesting parent is not the child(ren)'s custodial or domiciliary parent.

Unless otherwise ordered by the court, reimbursements due for medical expenses incurred shall be handled as follows:

- a. The parents shall take full advantage of any health related benefits offered by any present and/or future employer of the parent providing primary insurance coverage, even if an employee contribution is required or medical services are provided by a predefined network of health care providers, in order to provide maximum coverage for the child(ren). Absent an emergency, and in the event that either parent fails to take advantage of the health insurance benefits provided by the insurer, the other parent's financial obligation for the uninsured medical expenses of the child(ren) shall be limited to that which would have been incurred through utilization of the predetermined network of providers;
- b. Any request for reimbursement of medical expenses shall be made in writing with supporting documents within _____ days of the incurred expenses. The parent responsible for reimbursement shall pay or provide in writing his/her valid objections to reimbursement within _____ days;
- c. Any parent receiving an Explanation of Benefits (EOB) shall provide a copy to the other parent within thirty (30) days of receipt of the EOB; and
- d. A Qualified Medical Support Order shall be executed by the parents.

E. SCHOOLING AND EXTRACURRICULAR ACTIVITIES

The child(ren) shall attend the school district as selected by the domiciliary parent if: (1) after conferring, the parties cannot agree, and (2) the decision is in accordance with applicable school board policy.

All extracurricular activities of the child(ren) that will impact the custodial period of the other parent shall be by mutual agreement, which shall not be unreasonably withheld. Each of the parents shall maintain the extracurricular activities of the child(ren) while in his or her physical custody.

F. RESIDENCE AND CHANGE OF RESIDENCE OF THE CHILD(REN)

The principal residence of the child(ren) shall be (full street address required): _____

If there is intent to establish the principal residence of the child(ren) at any location outside the state for a period of sixty days or more, not including a temporary absence from the principal residence, the parents shall follow the provisions of R.S. 9:355.1, *et seq.*

If there is an intent to establish the principal residence of the child(ren) at any location within the state that is at a distance of more than seventy-five miles from the principal residence of the child(ren) set forth above, the parents shall follow the provisions of R.S. 9:355.1, *et seq.*

G. TRANSPORTATION

In exercising joint custody, the parents shall exchange physical custody of the child(ren) as follows: _____.

Each parent is responsible for transporting the child(ren) to school, extracurricular activities, medical and dental appointments, etc., when the child(ren) are in his or her care.

Neither parent shall allow the child(ren) to ride in a motor vehicle unless the driver has a valid driver's license, automobile insurance, seatbelts, and child safety seats as required by Louisiana law.

Neither parent shall be required to wait more than fifteen minutes after the scheduled exchange time for the other parent to arrive, unless the parent has called to advise of the length of the delay which shall not exceed thirty minutes.

H. TUTORSHIP

The parents shall enjoy the natural co-tutorship of the child(ren) in accordance with Articles 250 and 258 of the Louisiana Civil Code, except as limited herein.

I. PROPERTY OF THE CHILD(REN)

The parents shall have administration of the property of the child(ren) as provided by Article 4262 of the Louisiana Code of Civil Procedure.

J. ACUTE ILLNESS

In the event of a serious acute illness, each parent shall afford reasonable visitation to the other upon request.

K. GENERAL PROVISIONS

1. Neither parent shall attempt, nor condone any attempt, directly or indirectly, by any artifice or subterfuge whatsoever, to estrange the child(ren) from the other parent, or to injure or impair the mutual love and affection of the child(ren) and the other parent. At all times the parents shall encourage and foster in the child(ren) a sincere respect and affection for both parents, and shall not hamper the natural development of the child(ren)'s love and respect for the other parent. Neither parent nor other persons shall speak about the other parent or the other parent's family in a derogatory fashion, or refer to them in vulgar, insulting or disparaging terms in the presence of the child(ren). Further, neither parent nor other persons shall discuss any

pending or past litigation with the child(ren) or involve the child(ren) in adult issues if at all possible.

2. The parents shall not use any type of illegal drugs or substances which are prohibited by law, or use mind-altering substances, or abuse alcohol or prescription medications, or consume alcoholic beverages in violation of the law when the child(ren) are in their physical custody. At no time shall either parent allow the child(ren) to be in the presence of any person using any type of illegal drugs or substances which are prohibited by law, using mind-altering substances, abusing alcohol or prescription medications, or consuming alcoholic beverages in violation of the law when the child(ren) are in their physical custody.

3. Neither parent shall allow the child(ren) to refer to a stepparent or significant other by a name that is traditionally used to refer to a parent, i.e., mom/dad, mother/father, mama/daddy, etc.

4. In a non-shared physical custody arrangement, each parent shall transfer to the other sufficient wardrobe for the child(ren), considering the season, as well as school-related items. Any wardrobe transferred shall be returned to the transferring parent at the next exchange of custody.

5. Each parent has the right to attend the child(ren)'s extracurricular functions and to communicate with the child(ren) at such functions.

6. Either parent may have physical custody of the child(ren) at such other times as are mutually agreed upon by both parents. Each parent is to maintain sufficient flexibility to allow for variations made necessary by the ebb and flow of social, educational and recreational life.

SIGNED in _____ at _____, Louisiana,
this _____ day of _____, 20_____.

DISTRICT JUDGE

APPENDIX 29.2B: JOINT CUSTODY PLAN – NO DOMICILIARY PARENT

(NOTE: This plan contains suggested language only. It may be modified as each court sees fit.)

_____ JUDICIAL DISTRICT COURT
VERSUS DOCKET NO. _____
_____ PARISH, LOUISIANA

JOINT CUSTODY PLAN – NO DOMICILIARY PARENT

The following *Joint Custody Plan* is ordered by the court in accordance with the court’s written reasons/oral reasons issued on _____, in the above-captioned and numbered proceeding.

As used herein, the term “parent” refers to a natural or biological parent of the child(ren) or to a person named by the court as a custodian of the child(ren).

Full Name of Parents:	Relationship to Child(ren):

Full Name of Child(ren):	Date of Birth:

Accordingly, IT IS ORDERED, ADJUDGED AND DECREED that:

The parents shall exchange information concerning the health, education, and welfare of the child(ren) and shall confer with one another in exercising decision-making authority. *See* La. R.S. 9:336.

A. CUSTODY

_____ and _____ are awarded joint custody of the child(ren).

1. School Year Custodial Schedule

During the school year, the parents shall enjoy custodial periods with the child(ren) as follows:

2. Summer Custodial Schedule

During the summer months, the parents shall enjoy custodial periods with the child(ren) as follows:

3. Holiday Custodial Schedule

The parents shall alternate or share the physical custody of the child(ren) for the following holiday periods:

Notwithstanding the foregoing, the child(ren) shall spend every Mother's Day weekend with their MOTHER, and shall spend every Father's Day weekend with their FATHER. In addition, the child(ren) shall spend every mother's birthday with their MOTHER, and shall spend every father's birthday with their FATHER.

In the event a holiday consists of a Monday, such as Martin Luther King Day, Memorial Day, Independence Day, Labor Day, etc., the parent having custody of the child(ren) for the weekend immediately preceding the holiday shall also have custody of the child(ren) through the holiday, and if the child(ren) are to be returned to the custody of the other parent, it shall be at the usual time and location.

It is specifically understood and agreed that the holiday and Mother's Day/Father's Day custodial periods shall supersede the regular custodial periods of the parents set forth above.

4. Vacation Custodial Schedule

Both parties shall have vacation options with the children each year. They shall notify each other in writing of their vacation plans a minimum of 30 days prior to departure. The party giving written notice first shall have first priority to dates selected. Each shall provide the other with a basic itinerary to include travel dates, destinations, and a telephone number for emergency purposes. Travel is not necessary for a party to spend vacation time with the children; "staycations" are allowed.

During each calendar year, each party shall be entitled to enjoy up to fourteen (14) vacation days with the children, to be taken in increments of up to ____ days at a time.

Except for said period(s), the regular parenting time provided elsewhere herein, shall continue as though it had never been interrupted.

Neither party may take a vacation with the children which requires that the children miss any amount of school or which interferes with the enjoyment of a specified holiday or special occasion parenting time of the other party, without the agreement of the other party.

B. OUT-OF-STATE/OUT-OF-TOWN TRAVEL

Either parent may be away from home overnight with the child(ren). However, that parent shall notify the other parent at least forty-eight (48) hours in advance, if practicable, of the name and location where the parent and child(ren) will be lodging and a telephone number where the parent and/or child(ren) can be reached.

In the event either parent will be away from their regular place of residence without the children for twenty-four (24) hours or longer while the child(ren) are scheduled to be in the physical custody of said parent, that parent shall offer the other parent the right to care for the child(ren) should the occasion arise. In the event the other parent not enjoying the physical custody of the child(ren) cannot care for the child(ren), the parent with custody shall arrange for an appropriate care giver. In such an event, the other parent shall be advised in advance of the location of the child(ren) and a telephone number where the child(ren) can be reached.

C. RIGHT OF ACCESS AND INFORMATION

When one parent is exercising physical custody of the child(ren), the other parent shall have the right of access by telephone at reasonable times and intervals.

The parents are to communicate concerning all factors affecting the health, education and welfare of the child(ren). Cost of long distance communication shall be borne by the parent initiating same. The parents are encouraged to consult with each other by telephone or by correspondence such as e-mail, texting, and/or social media if personal conferences are impractical in an effort to mutually agree in regard to the general health, welfare, education, and development of the child(ren) in order that they may mutually adopt a harmonious policy in rearing the child(ren).

The child(ren) shall have complete and full access to communication with each parent. No communication shall be intercepted, censored, or monitored unless ordered by the court. Neither parent shall restrict the right of the other parent without physical custody to reasonable telephone access and communication with the child(ren) during reasonable hours.

All information regarding school, report cards, conferences, trips, functions, meetings, etc., shall be furnished to the other parent as either parent receives the same.

All medical and other information regarding the child(ren)'s health and welfare shall be furnished to the other parent as either parent receives the same.

The parents shall not communicate through the child(ren), or third parties, or use the child(ren) because they refuse to communicate.

Either parent shall be entitled to immediate access from third parties of records and information pertaining to the child(ren), without permission from the other, including but not limited to, medical, dental, health, and school, psychological and educational records.

Unless otherwise ordered by the court, each party shall always keep the other informed of his/her actual address of residence, mailing address if different, business address, e-mail address, home, work, and cellular telephone numbers, and of any changes to same within twenty-four hours of such change occurring.

D. MEDICAL AND DENTAL

As joint custodians, the parents shall jointly agree upon the health care providers that are to be utilized to treat the child(ren). Each parent shall inform the other as soon as practicable as to any emergency medical or dental treatment of the child(ren), as well as routine doctor and dental appointments in advance. Spouses and significant others shall/shall not (circle one) be present at doctor and dental appointments.

In the event the parents do not agree upon the medical or dental care and treatment of the child(ren) that is of a non-emergency nature, either party may institute a rule to show cause with the court so that a decision as to care and treatment can be made.

The parent who fills prescription medication for the child(ren) shall transfer said medication to the other parent at the time the child(ren) are exchanged. Prescription medication shall be returned to the other parent with the child(ren) at the end of each parent's custodial period. The child(ren) shall be given medication as directed, i.e., the prescribed dosage at the appropriate intervals.

Pursuant to La. R.S. 9:351, each parent is entitled to access to all medical, dental, and treatment records and information pertaining to the child(ren), which shall not be denied to a parent solely because the requesting parent is not the child(ren)'s custodial or domiciliary parent.

Unless otherwise ordered by the court, reimbursements due for medical expenses incurred shall be handled as follows:

- a. The parents shall take full advantage of any health related benefits offered by any present and/or future employer of the parent providing primary insurance coverage, even if an employee contribution is required or medical services are provided by a predefined network of health care providers, in order to provide maximum coverage for the child(ren). Absent an emergency, and in the event that either parent fails to take advantage of the health insurance benefits provided by the insurer, the other parent's financial obligation for the uninsured medical expenses of the child(ren)

shall be limited to that which would have been incurred through utilization of the predetermined network of providers;

- b. Any request for reimbursement of medical expenses shall be made in writing with supporting documents within sixty (60) days of the incurred expenses. The parent responsible for reimbursement shall pay or provide in writing his/her valid objections to reimbursement within _____ days;
- c. Any parent receiving an Explanation of Benefits (EOB) shall provide a copy to the other parent within thirty (30) days of receipt of the EOB; and
- d. A Qualified Medical Support Order shall be executed by the parents.

E. SCHOOLING AND EXTRACURRICULAR ACTIVITIES

The child(ren) shall attend the school district as mutually agreed upon by the parents and in accordance with school board policy in the district in which he/she resides. In the event the parents do not agree upon which school the child(ren) shall attend, either party may institute a rule to show cause with the court so that a decision as to a school can be made.

All extracurricular activities of the child(ren) that will impact the custodial period of the other parent shall be by mutual agreement, which shall not be unreasonably withheld. Each of the parents shall maintain the extracurricular activities of the child(ren) while in his or her physical custody.

F. CHANGE OF RESIDENCE OF PARENT

The principal residence of the child(ren) shall be (full street address required): _____
_____.

If there is intent to establish the principal residence of the child(ren) at any location outside the state for a period of sixty days or more, but does not include a temporary absence from the principal residence, the parents shall follow the provisions of R.S. 9:355.1, *et seq.*

If there is an intent to establish the principal residence of the child(ren) at any location within the state that is at a distance of more than seventy-five miles from the principal residence of the child(ren) set forth above, the parents shall follow the provisions of R.S. 9:355.1, *et seq.*

G. TRANSPORTATION

In exercising joint custody, the parents shall exchange physical custody of the child(ren) as follows: _____.

Each parent is responsible for transporting the child(ren) to school, extracurricular activities, medical and dental appointments, etc., when the child(ren) are in his or her care.

Neither parent shall allow the child(ren) to ride in a motor vehicle unless the driver has a valid driver's license, auto insurance, seat belts, and child safety seats as required by Louisiana law.

Neither parent shall be required to wait more than fifteen minutes after the scheduled exchange time for the other parent to arrive, unless the parent has called to advise of the length of the delay which shall not exceed thirty minutes.

H. TUTORSHIP

The parents shall enjoy the natural co-tutorship of the child(ren) in accordance with Articles 250 and 258 of the Louisiana Civil Code, except as limited herein.

I. PROPERTY OF THE CHILD(REN)

The parents shall have administration of the property of the child(ren) as provided by Article 4262 of the Louisiana Code of Civil Procedure.

J. ACUTE ILLNESS

In the event of a serious acute illness, each parent shall afford reasonable visitation to the other upon request.

K. GENERAL PROVISIONS

1. Neither parent shall attempt, nor condone any attempt, directly or indirectly, by any artifice or subterfuge whatsoever, to estrange the child(ren) from the other parent, or to injure or impair the mutual love and affection of the child(ren) and the other parent. At all times the parents shall encourage and foster in the child(ren) a sincere respect and affection for both parents, and shall not hamper the natural development of the child(ren)'s love and respect for the other parent. Neither parent nor other persons shall speak about the other parent or the other parent's family in a derogatory fashion, or refer to them in vulgar, insulting or disparaging terms in the presence of the child(ren). Further, neither parent nor other persons shall discuss any pending or past litigation with the child(ren) or involve the child(ren) in adult issues if at all possible.

2. The parents shall not use any type of illegal drugs or substances which are prohibited by law, or use mind-altering substances, or abuse alcohol or prescription medications, or consume alcoholic beverages in violation of the law when the child(ren) are in their physical custody. At no time shall either parent allow the child(ren) to be in the presence of any person using any type of illegal drugs or substances which are prohibited by law, using mind-altering substances, abusing alcohol or prescription medications, or consuming alcoholic beverages in violation of the law when the child(ren) are in their physical custody.

3. Neither parent shall allow the child(ren) to refer to a stepparent or significant other by a name that is traditionally used to refer to a parent, i.e., mom/dad, mother/father, mama/daddy, etc.

4. In a non-shared physical custody arrangement, each parent shall transfer to the other sufficient wardrobe for the child(ren), considering the season, as well as school-related items. Any wardrobe transferred shall be returned to the transferring parent at the next exchange of custody.

5. Each parent has the right to attend the child(ren)'s extracurricular functions and to communicate with the child(ren) at such functions.

6. Either parent may have physical custody of the child(ren) at such other times as are mutually agreed upon by both parents. Each parent is to maintain sufficient flexibility to allow for variations made necessary by the ebb and flow of social, educational and recreational life.

SIGNED in _____ at _____, Louisiana, this _____ day of _____, 20_____.

DISTRICT JUDGE

APPENDIX 29.3: COURT-SPECIFIC RULES CONCERNING PARENTING CLASSES

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING PARENTING CLASSES
2 nd J.D.C.	Bienville, Claiborne, and Jackson Parishes	<p>A. In order to provide for the best interest of the children of parents who are involved in a contested custody matter, the parents shall participate in an educational program that is designed to make the parties more aware of the effects of separation and divorce upon their children and to acquaint them with methods of assisting minor children to cope with the stress of divorce and custody proceedings.</p> <p>B. All parties to a contested custody matter filed in the Court shall successfully complete the program "Helping Children Cope With Divorce". The parties shall promptly pay all fees associated with the program, as directed by the Court.</p> <p>C. The program shall be completed within sixty days of service of initial pleadings in the case and each party shall file a certificate of completion in the record.</p> <p>D. A party's failure to timely complete the program and/or pay all costs in connection therewith, shall subject the party to an appropriate action by the Court, including contempt of Court.</p> <p>E. The Court may waive the requirement of completion of the program, in individual cases, for good cause shown. The Court may also change the time by which the program shall be completed, in individual cases, for good cause shown.</p>
4 th J.D.C.	Morehouse and Ouachita Parishes	<p>A. The Court may require parties in cases involving the custody of minor children to participate in programs designed to acquaint the parents or parties with methods of assisting minor children in coping with the stress of divorce and custody proceedings. Divorce education may be ordered for any divorce proceeding where minor children reside with either of the divorcing parents whether or not custody or visitation is contested issues.</p> <p>B. A hearing officer may recommend mediation of custody and visitation, custody evaluation by a mental health professional, and/or alcohol and drug testing.</p> <p>C. Should any party fail to successfully complete any program or interview or fail to comply with any orders of the Court pursuant to this Rule, the Court may take appropriate action including, but not limited to, actions for contempt. For good cause, the Court may waive any requirement of completion in individual cases.</p>

8 th J.D.C.	Winn Parish	The court may require parties in cases involving the custody of the minor children to participate in programs designed to acquaint the parents or parties with methods of assisting minor children in coping with the stress of divorce and custody proceedings.
14 th J.D.C.	Calcasieu Parish	In cases involving the custody of minor children, the parties may be required to attend a parenting class. Any party who refuses to comply with the order of the Court to attend the parenting class shall be subject to sanctions for contempt of court.
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p>A. Parents who are involved in a contested custody matter shall participate in an educational program that is designed to make the parties more aware of the effects of separation and divorce upon their children and to acquaint them with methods of assisting minor children to cope with the stress of divorce and custody proceedings.</p> <p>B. All parties to a contested custody matter filed in the Court shall successfully complete the program "Children Cope with Divorce". The parties shall promptly pay all fees associated with the program, as directed by the Court.</p> <p>C. The program shall be completed within sixty (60) days of service of initial pleadings in the case and each party shall file a certificate of completion in the record.</p> <p>D. A party's failure to timely complete the program and/or pay all costs in connection therewith, shall subject the party to an appropriate action by the Court, including contempt of Court.</p> <p>E. The Court may waive the requirement of completion of the program, in individual cases, for good cause shown. The Court may also change the time by which the program shall be completed or the location, in individual cases, for good cause shown.</p>
26 th J.D.C.	Bossier and Webster Parishes	<p>A. All petitions for incidental relief regarding child custody shall, in addition to an order for child custody, contain an order with blank dates, fixing dates and times for attendance by the domestic litigants at two parenting classes for each of the parties. The available dates for the classes shall be obtained from the office of the Clerk of Court. These parenting classes are offered through the Louisiana Cooperative Extension Service and must be completed before final custody is awarded. The parties shall promptly pay all fees associated with the program, as directed by the Court.</p> <p>B. The program shall be completed within the timeframe set by the Court and each party shall file a certificate of completion in the record.</p> <p>C. A party's failure to timely complete the program and/or pay all costs in connection with the program shall subject the party to an appropriate action by the Court, including contempt of</p>

		<p>Court.</p> <p>D. The Court may waive the requirement of completion of the program, in individual cases, for good cause shown. The Court may also change the time by which the program shall be completed, in individual cases, for good cause shown.</p> <p>E. Prior to completion of the parenting classes, interim orders may be issued.</p>
36 th J.D.C.	Beauregard Parish	<p>In all divorce cases where the custody of minor children shall be the subject of any order of the Court, the parties shall be required to attend counseling relative to the General Responsibilities of Separating Parents (GRASP) prior to the granting of the judgment of divorce. No judgment of divorce shall be granted until the record in the case contains the appropriate counselor certifications of completion. Any party, who refuses to comply with the order of Court to attend the GRASP counseling sessions, shall be subject to sanctions for contempt of Court.</p>

APPENDIX 29.4: COURT-SPECIFIC RULES CONCERNING MEDIATION

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING MEDIATION
3 rd J.D.C.	Lincoln and Union Parishes	<p>A. When it appears on the face of the petition, motion for an order or motion for modification of an order that custody or visitation of a child or children is contested, or, when during such proceeding it appears to the court to be in the best interest of the child or children, the parties may be required to mediate their differences in accordance with the provisions of La. Rev. Stat. 9:351, et seq. In such cases, upon request and/or notification by the court, the parties shall have a period of ten (10) days from notice to select a mediator. If the parties are unable to agree upon a mediator, both parties shall so inform the court in writing, stating the names of those persons suggested as mediators who have not been agreed upon. Upon receipt of this notification, the court shall select the mediator.</p> <p>B. Upon the resolution of the controversies by the parties, the mediator shall prepare a written, signed and dated agreement, verified by the mediator, setting forth the settlement terms of the controversies. If an agreement is reached by the parties, through mediation or otherwise, a consent judgment shall be prepared by respective counsel for each of the parties, which shall be submitted immediately to the court. Willful failure of either party to comply with attempts at mediation shall subject that party to all costs of mediation.</p>
4 th J.D.C.	Morehouse and Ouachita Parishes	<p>In the event the Hearing Officer believes the matter is appropriate for mediation, a recommendation to that effect shall be included in the Hearing Officer Conference Report, including recommendations regarding the time within which to comply with any order implementing the recommendation and the manner in which the costs of said mediation should be paid by the parties. The Hearing Officer may, but is not required to, include a recommendation of a specific mediator to perform the mediation. The Hearing Officer shall prepare an Order of Mediation at the time of the Hearing Officer Conference, in substantial compliance with 4th JDC Family Docket Form 6.0 for the review and consideration of the assigned civil judge.</p>
10 th J.D.C.	Natchitoches Parish	<p>In any custody or visitation proceeding, the court, on its own motion or the motion of either party, may require the parties to mediate their differences. The court may apportion the costs of the mediation between the parties. The mediator shall be selected by the court. The mediation shall be conducted and the mediator shall be qualified in accordance with R.S. 9:351, et seq.</p> <p>When it appears on the face of the petition or motion for an order or modification of an order for the custody or visitation</p>

		<p>of a child or children that either or both such issues are contested, or when during such a proceeding it appears to the court to be in the best interest of the child or children, the parties may be required to mediate their differences upon the motion of the court or upon the motion of either party. The court may apportion the costs of the mediation between the parties. The costs of mediation shall be subject to approval by the court.</p> <p>PURPOSE: The purpose of such mediation proceeding shall be to reduce acrimony which may exist between the parties and to develop an agreement assuring the child or children's close continuing contact with both parents after the marriage is dissolved. The mediator shall use his or her best efforts to effect a settlement of the custody or visitation dispute.</p> <p>DUTIES OF THE MEDIATOR: In performing the mediation contemplated herein, the mediator shall assist the parties in formulating a written, signed, and dated agreement to mediate which shall identify the controversies between the parties, affirm the parties' intent to resolve these controversies through mediation, and specify the circumstances under which the mediation may terminate. The mediator has a duty to advise each of the mediation participants to obtain legal review prior to reaching any agreement. The mediator has a duty to be impartial and has no power to impose a solution on the parties.</p> <p>MEDIATION AGREEMENT: Upon the resolution of the controversies by the parties, the mediator shall prepare a written, signed and dated agreement, verified by the mediator, setting out the settlement terms of the controversies. If an agreement is reached by the parties through mediation, a consent judgment and/or plan of mediation incorporating the agreement shall be prepared by respective counsel for each of the parties. The consent judgment and/or plan of mediation shall be submitted to the court for its approval and signature.</p>
13 th J.D.C.	Evangeline Parish	<p>A. If the parties do not agree to custody and/or visitation, the hearing officer will determine if the case needs to be referred to mediation.</p> <p>B. If mediation or psychological evaluation is recommended by the hearing officer at the Intake Conference, the hearing officer will determine, at the Intake Conference, the terms and conditions upon which the parties are to pay for the mediation and/or psychological evaluations and prepare an order to that effect.</p> <p>C. The parties who have been referred to mediation or psychological evaluations will be required to provide proof to the Court as to the appointments set for mediation or evaluations within fifteen working days after the Intake Conference.</p>
14 th J.D.C.	Calcasieu Parish	<p>A. If the Hearing Officer or Court determines that a matter is appropriate for mediation, a Mediation Order shall be issued.</p>

		<p>The Hearing Officer or Court shall determine the terms and conditions upon which the parties shall participate in mediation. Prior to the execution of a mediation order, the parties may agree to a mediator of their choosing.</p> <p>B. A party objecting to the order of mediation shall raise those objections at the Hearing Officer Conference. If a continuance is granted, the mediation order shall remain in effect unless the motion contains certification by both parties or their attorneys that mediation is not warranted.</p> <p>C. In order to be listed as an approved mediator with the Family and Juvenile Court, an individual shall have successfully completed mediation training in accordance with La. R.S. 9:334, provided a resume and proof of professional liability insurance and be a practicing member of the Family Mediation Council of Louisiana. Individuals seeking to be placed on the list of approved mediators shall agree to charge according to the fee schedule promulgated by the Family and Juvenile Court Judges.</p> <p>D. After mediation has been ordered, the appointed mediator shall file an Acceptance of Appointment and Initial Disclosure and the Initial Appointment Notice.</p> <p>E. The mediator shall communicate with the parties and schedule mediation sessions as appropriate. The mediator shall encourage and assist the parties in reaching a settlement of their dispute but may not compel or coerce the parties to enter into a settlement agreement.</p> <p>F. Mediators shall preserve and maintain the confidentiality of mediation proceedings pursuant to La. R.S. 9:332 C.</p> <p>(1) They shall keep confidential from opposing parties any information obtained in individual caucuses unless the party or parties to a caucus permit disclosure.</p> <p>(2) They shall maintain confidentiality in the storage and disposal of records and shall render anonymous all identifying information when materials are used for research, training or statistical compilations.</p> <p>(3) All discussions during mediation, including statements made by any party, attorney or other participant, are privileged in all respects. The mediation discussions shall not be reported, recorded, placed into evidence, made known to the trial court, or construed for any purpose as an admission against interest.</p> <p>(4) The mediator shall not be named as a witness, nor may the mediator's records be subpoenaed or used as evidence, nor shall the mediator's deposition be taken, or any other discovery had against the mediator.</p> <p>G. At the conclusion of the mediation between the parties, the mediator shall submit to the Court a Final Report of Mediator. In the event a total or partial agreement is reached, a memorandum of understanding summarizing the nature and</p>
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		<p>substance of the parties' agreement shall be signed by both parties. The mediator shall provide to both parties and their respective legal counsel a copy of the agreement. The mediator shall notify the parties and their respective legal counsel that if there is no written objection to the agreement made within 30 days from the date of the mailing of the agreement or prior to the hearing on custody, whichever occurs first, the mediator shall submit the agreement to the Court, with an accompanying order to make the agreement a judgment of the Court. In the event no agreement was reached, the mediator shall report to the Court, the parties and their respective legal counsel that the parties were unable to reach a mediated agreement.</p> <p>H. Failure to schedule or attend mediation appointments or comply with the Court's mediation order in any way may constitute contempt of court.</p> <p>I. The cost of mediation shall initially be borne proportionally as set by the Hearing Officer and/or the Court, unless the parties agree otherwise, and may be taxed as costs of court. The minimum portion paid by either party shall be 20% of the total cost. At the conclusion of mediation, if a mediator's fee is not paid, it shall be certified by the mediator and placed in the record. All court filings made by the mediator shall be accepted by the Clerk of Court without any filing fee from the mediator, but the cost of filing shall be taxed as costs of court.</p>
<p>15th J.D.C.</p>	<p>Acadia, Lafayette, and Vermilion Parishes</p>	<p>A. At the time of the Hearing Officer Conference with the hearing officer, the parties or their respective counsel shall have an opportunity to provide a verbal statement of their positions to the hearing officer with regard to the custody and/or visitation issues before the Court. The hearing officer shall then determine whether the matter is appropriate for mediation.</p> <p>B. In the event the hearing officer determines that the matter is appropriate for mediation, the hearing officer shall determine whether the issues will require only one mediation session, or whether more than one mediation session shall be required.</p> <p>1. In the event the issues appear to require only one mediation session, the case may be mediated by court officers who have been trained to mediate custody and visitation matters in accordance with LSA R.S. 9:334. However, in no event may a court officer who will be serving as a Hearing Officer for support issues mediate a custody or visitation issue.</p> <p>2. If the issues will require more than one mediation session, then the parties shall be referred to a mediator from the list of approved mediators maintained by the Clerk of Court, on a rotating basis.</p> <p>C. If the hearing officer refers the matter to mediation, an Order of Mediation shall issue at the time of the Hearing Officer Conference. A party objecting to the referral of the</p>

		<p>matter to mediation by the hearing officer shall have three (3) court days within which to file an objection to the Order of Mediation, in which the party shall set forth, with specific allegations of fact, the basis upon which an objection to mediation is being filed.</p> <p>D. In the event the hearing officer does not refer the matter to mediation, either party may nevertheless file a motion seeking a court order of mediation, and shall, at the time said motion is filed, have the matter set for contradictory hearing on the next available rule docket.</p> <p>E. In the event the parties agree upon a mediator other than the mediator appointed by the court, the name, address, and telephone number of the agreed upon mediator shall be provided to the Judge within five (5) court days after notice to the parties by the hearing officer of the referral to mediation.</p> <p>F. In order to be listed as an approved mediator with the Clerk of Court, an individual must have successfully completed mediation training in accordance with LSA R.S. 9:334, and must be a practicing member of the Family Mediation Council of Louisiana. Individuals seeking to be placed on the list of approved mediators shall be required to provide a resume and shall agree to charge according to the fee schedule promulgated by the Judges assigned to the Family Docket on file with the Clerk of Court in advance of consideration of his or her placement on the approved list.</p> <p>G. After mediation has been ordered, the appointed mediator shall file an Acceptance of Appointment and Initial Disclosure by Court Appointed Mediator.</p> <p>H. The mediator shall communicate with the parties and schedule mediation sessions as appropriate. The mediator shall encourage and assist the parties in reaching a settlement of their dispute but may not compel or coerce the parties to enter into a settlement agreement.</p> <p>I. Mediators shall preserve and maintain the confidentiality of mediation proceedings pursuant to LSA R.S. 9:332C:</p> <ol style="list-style-type: none">1. They shall keep confidential from opposing parties any information obtained in individual caucuses unless the party or parties to a caucus permit disclosure.2. They shall maintain confidentiality in the storage and disposal of records and shall render anonymous all identifying information when materials are used for research, training or statistical compilations.3. All proceedings of the mediation, including statements made by any party, attorney or other participant, are privileged in all respects. The proceedings may not be reported, recorded, placed into evidence, made known to the trial court, or construed for any purpose as an admission
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		<p>against interest.</p> <p>4. The mediator shall not be named as a witness, nor may the mediator's records be subpoenaed or used as evidence, nor may the mediator's deposition be taken, or any other discovery had against the mediator.</p> <p>J. At the conclusion of the mediation between the parties, the mediator shall report to the Court that the parties have reached a mediated agreement, and shall provide a memorandum of understanding to the parties and their respective legal counsel, summarizing the nature and substance of the parties' agreement. In the event no settlement was reached, the mediator shall report to the Court, the parties, and their respective legal counsel that the parties were unable to reach a mediated agreement. In either case, the mediator shall file a Final Report of Mediator to the Court.</p> <p>K. The cost of mediation shall initially be borne equally by the parties, unless the parties agree otherwise, and shall ultimately be taxed as costs of court in the event mediation does not resolve the dispute. At the conclusion of each mediation session, whether or not successful, the parties shall pay the mediator's fee as per the fee schedule on file, or as agreed upon, and the amount of the fee shall be certified by the mediator and placed in the record of the action. All court filings made by the mediator shall be accepted by the Clerk of Court without any filing fee from the mediator, but the cost of filing shall be taxed as costs of court.</p>
<p>16th J.D.C.</p>	<p>St. Mary, Iberia, and St. Martin Parishes</p>	<p>A. At the time of the Hearing Officer Conference, the parties or their respective counsel shall have an opportunity to provide a verbal statement of their positions to the Hearing Officer with regard to the custody and/or visitation issues before the Court. In the event the Hearing Officer believes the matter is appropriate for mediation, a recommendation to that effect shall be included in the Hearing Officer Conference Report, including recommendations regarding the time within which to comply with any order implementing the recommendation and the manner in which the costs of said mediation should be paid by the parties. The Hearing Officer may, but is not required to, include a recommendation of a specific mediator to perform the mediation.</p> <p>B. If the Hearing Officer recommends that the matter should be referred to mediation, the Hearing Officer shall prepare an Order of Mediation at the time of the Hearing Officer Conference for the review and consideration of the presiding Judge. A party objecting to the recommendation that a matter should be referred to mediation shall file a written objection with the clerk of court as provided elsewhere in these rules.</p> <p>C. In the event the parties agree to the recommendation of</p>

		<p>the Hearing Officer that the matter should be referred to mediation, the Hearing Officer shall prepare the appropriate consent Order of Mediation for the review and approval of the parties and, if they are represented by legal counsel, their respective counsel of record, which shall then be submitted to the Court for approval and execution.</p> <p style="text-align: center;"><u>Comment</u></p> <p>Mediation, former Sixteenth Judicial District Court Rule 5A.6.</p>
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">MEDIATION OF CHILD CUSTODY AND VISITATION ISSUES</p> <p>Section A.</p> <p>At the time of the Intake Conference with the hearing officer, the parties or their respective counsel shall have an opportunity to provide a verbal statement of their positions to the hearing officer with regard to the custody and/or visitation issues before the Court. The hearing officer shall then determine whether the matter is appropriate for mediation.</p> <p>1. In the event the issues appear to require only one mediation session, the case may be mediated by court officers who have been trained to mediate custody and visitation matters in accordance with LSA RS 9:334. However, in no event may a court officer who will be serving as a Hearing Officer for support issues mediate a custody or visitation issue.</p> <p>Section B.</p> <p>If the hearing officer refers the matter to mediation, an Order of Mediation shall issue at the time of the Intake Conference, in substantial compliance with Form R (Order of Mediation).</p> <p>Section C.</p> <p>At any time the Judge may refer any matter he/she deems fit for mediation.</p> <p>Section D.</p> <p>The Clerk of Court shall accept all court filings made by the mediator without any filing fee from the mediator, but the cost of filing shall be taxed as costs of court.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>A. At the time of the Hearing Officer Conference, the Hearing Officer may make a finding that a mediator and/or a parenting coordinator should be appointed. The Hearing Officer may also make recommendations referring the parties to the court's social workers or other mental health professionals or experts to discuss parenting schedules, co-parenting and parenting classes, medical and/or psychological evaluation, drug testing, counseling, and substance abuse treatment.</p>

		<p>B. Mediation:</p> <p>1) The parties shall have an opportunity to provide a verbal statement of their positions to the Hearing Officer with regard to the custody and/or visitation issues before the Court. The Hearing Officer may make a finding that the matter is appropriate for mediation, or another form of alternative dispute resolution.</p> <p>2) The case may be mediated by court approved mediators who meet qualifications set forth in La R.S. 9:334. Mediators shall preserve and maintain the confidentiality of mediation proceedings pursuant to La R.S. 9:332C.</p> <p>3) In order to be listed as an approved mediator, a mediator must be listed on the roster of approved custody and visitation mediators with the Louisiana State Bar Association Alternative Dispute Resolution Section.</p> <p>4) Notwithstanding any other provision of law to the contrary, in any separation, divorce, child custody, visitation, child support, spousal support, or community property proceeding, a party who satisfies the court that they, or any of the children, have been the victim of family violence perpetrated by the other party shall not be court ordered to participate in mediation.</p>
<p>24th J.D.C.</p>	<p>Jefferson Parish</p>	<p>A. The court, or the commissioner, as to matters within his or her area of responsibility, may</p> <ol style="list-style-type: none"> 1. order an evaluation of a party(ies) or the child(ren) in a custody or visitation proceeding for good cause shown pursuant to La. R. S. 9:331; 2. order a party to submit to specified drug tests and the collection of hair, urine, tissue, and blood samples for good cause shown, after a contradictory hearing pursuant to La. R. S. 9:331.1; and 3. order the parties to mediate their differences pursuant to La. R.S. 9:332 et seq. <p>B. For good cause shown, after a contradictory hearing, the court, or the commissioner, as to matters within his or her area of responsibility, may appoint an attorney to represent the child. The fees for such representation shall be set by the court and paid by the parties as ordered by the court. See La. R.S. 9:376.</p> <p>C. For good cause shown, after a contradictory hearing, the court, or the commissioner, as to matters within his or her area of responsibility, may order, and the hearing officer may recommend, either parent to participate in mental health treatment, drug or alcohol treatment, parenting or anger management classes, alcoholics or narcotics anonymous as a</p>

		condition of custody or visitation. The fees for such treatment shall be paid by the parties as ordered by the court.
28 th J.D.C.	LaSalle Parish	This court encourages and supports the use of alternative dispute resolution to promote resolution of disputes and refer all counsel to the Louisiana Mediation Act La. R.S. 9:4101, et seq. Additionally, this court encourages and supports the use of special masters in appropriate circumstances.
29 th J.D.C.	St. Charles Parish	<p>Mediation may be ordered when custody or visitation of children is an issue for decision in any petition or motion. If the parties do not agree on a mediator, the court will select one. Failure to comply with an order of mediation will subject a party to the contempt powers of the court.</p> <p>If the parties reach an agreement, the mediator shall prepare a written, signed and dated agreement. Counsel for both parties shall submit a consent judgment immediately for the approval of the court.</p> <p>An order of mediation may be set aside at any time if counsel notify the court that custody or visitation issues are not contested, or for other reason(s) deemed sufficient by the court.</p> <p>Unless otherwise ordered by the court, costs of mediation shall be equally divided between and paid by the parties.</p>
31 st J.D.C.	Jefferson Davis Parish	<p>When it appears on the face of a petition or motion that custody or visitation is an issue for decision, the Court may require the parties to mediate. In any custody or visitation proceeding, if the rule is contested on the date fixed in the Order, when the case is called, a pre-trial conference will be held. If no settlement is agreed upon, the Court may require the parties to mediate their differences. The mediator shall be selected by the Court.</p> <p>The Court may apportion the costs of the mediation between the parties. Unless otherwise ordered by the Court, costs of mediation shall be equally divided between and paid by the parties. All mediation will be handled on a fee schedule based on income.</p> <p>Noncompliance with the provisions of the order of Mediation will subject such party to the contempt powers of the Court.</p> <p>Upon resolution of the controversies by the parties, the mediator shall prepare and provide to each party a written, signed and dated agreement, verified by the mediator, setting forth the settlement terms of the controversies. If an agreement is reached by the parties through mediation, a consent judgment and/or plan of mediation incorporating the agreement shall be prepared by respective counsel for each of the parties. The consent judgment and/or plan of mediation shall be submitted to the Court for its approval and signature.</p>

<p>Civil District Court</p>	<p>Orleans Parish</p>	<p>A. In any case where custody/visitation is at issue, the Court may order the parties to participate in mediation unless prohibited by La. R.S. 9:363. The Court will determine if the case is appropriate for mediation based on the petition, rule, or motion filed.</p> <p>B. Once the Court has determined that mediation is appropriate, the Court will issue an Order appointing a mediator to begin the mediation process before the scheduled hearing/trial. The Court will provide a copy of the Order of Mediation to both parties. The Order will contain contact information for the mediator.</p> <p>C. The assigned mediator will meet with the parties a minimum of three times. If a party is represented by counsel, the attorney is welcome to participate in the mediation process. The mediator's fees will be based on a sliding scale.</p> <p>D. During the mediation process, the parties may agree to have any other issues contained in the pleadings addressed by the mediator during the mandated sessions.</p>
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**APPENDIX 29.5: FORM LETTER TO REGISTER FOREIGN OR OUT-OF-STATE
CUSTODY ORDER**

<p>ATTORNEY OR SELF-REPRESENTED PARTY (INCLUDE NAME, ADDRESS, BAR NUMBER):</p> <p>TELEPHONE NUMBER:</p> <p>FAX NUMBER (OPTIONAL):</p> <p>E-MAIL ADDRESS (OPTIONAL):</p> <p>ATTORNEY FOR (NAME):</p>	<p align="center"><u>FOR COURT USE ONLY</u></p>
<p>____JUDICIAL DISTRICT COURT, PARISH OF _____</p> <p>STREET ADDRESS:</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE:</p>	
<p>PETITIONER:</p> <p>RESPONDENT:</p>	<p>CASE NUMBER:</p>

1. The minor children covered by the out-of-state custody order are (name each):

Child's Name	Date of Birth	Age	Sex

2.
 - a. Petitioner has been awarded custody visitation of those minor children.
 - b. Petitioner is the mother father other (specify) _____ of those minor children.
 - c. Petitioner's address is:

3.
 - a. Respondent has been awarded custody visitation of those minor children.
 - b. Respondent is the mother father other (specify) _____ of those minor children.
 - c. Respondent's address is:

4.
 - a. Another person (specify) _____ has been awarded custody visitation of those minor children.
 - b. That person is the mother father other (specify) _____ of those minor children.
 - c. That person's address is:

5. The information required by the *Uniform Child Custody Jurisdiction and Enforcement Act* is attached hereto in affidavit or pleading form pursuant to La. R.S. 13:1821.

6. I request that the attached out-of-state custody order be registered in this court.
 - a. The court, parish, and state where order was made are (specify):
 - b. The date when the most recent order for child custody/visitation was made in that case (specify):
 - c. Two copies, including one certified copy of that out-of-state order, are attached to this registration and made a part of it.
 - d. To the best of my knowledge and belief, this order has not been modified.

I declare under penalty of perjury under the laws of the State of Louisiana that the foregoing is true and correct.

TYPE OR PRINT NAME

SIGNATURE

DATE

PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

NOTICE OF REGISTRATION OF OUT-OF-STATE CUSTODY ORDER

1. To:

- a. Petitioner at address on 2(c), above
- b. Respondent at address on 3(c), above
- c. Other person who has been awarded custody or visitation in this custody order at address on 4(c), above

2. The attached out-of-state custody order can be enforced as of the date of registration in the same manner as an order issued by a Louisiana court.

3. If you want to contest the validity of this registered out-of-state custody order, you must request a hearing date that is within twenty (20) days of the date that this notice was mailed to you (see clerk's date of mailing below). A request for a hearing must be in writing and filed in this case.

4. If you do not request this hearing, the out-of-state order will be confirmed in Louisiana, and you will not be able to challenge its validity in the future.

5. At the hearing, the court will confirm the out-of-state order unless you can prove one of the following:

- a. The issuing court did not have jurisdiction;
- b. The child custody determination sought to be registered has been vacated, stayed, or modified by a court having jurisdiction to do so; or
- c. You were entitled to notice of the original order, but did not receive that notice before the court issued the order for which registration is sought.

SERVICE OF PROCESS TO BE ACCOMPLISHED IN ONE OF THE FOLLOWING WAYS:

___ Service through the sheriff of the local law enforcement agency (appropriate service address must be provided by person seeking registration of the order); OR

___ Service by the person seeking registration of the order pursuant to the Louisiana Long-Arm Statute (La. R.S. 13:3204); OR

___ Service by court-ordered private process server (order of appointment must be attached); OR

___ Service on an attorney at law appointed to represent the defendant (order of appointment must be attached).

APPENDIX 29.6: COURT-SPECIFIC RULES CONCERNING MODIFICATION OF AN EXISTING CUSTODY OR VISITATION ORDER

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING MODIFICATION OF AN EXISTING CUSTODY OR VISITATION ORDER</u>
24 th J.D.C.	Jefferson Parish	<p>A. All motions seeking modification of a custody or visitation order shall be assigned to a domestic hearing officer and a district judge and shall be set and heard in conformity with the 24th J.D.C.'s Appendix 32.0B.</p> <p>B. Bergeron v Bergeron, 492 So.2d 1193 (1986) and its' progeny shall apply in all cases in which a modification of custody is requested.</p> <p>C. Proposed modifications of custody or visitation orders in which relocation of a child(ren) residence is involved shall comply with La. R. S. 9:355.1 et seq.</p>

APPENDIX 30.0A: SWORN DETAILED DESCRIPTIVE LIST (BLANK)

Petitioner

Versus

Defendant

____ JUDICIAL DISTRICT COURT
 DOCKET NO. _____
 PARISH OF _____
 STATE OF LOUISIANA

SWORN DETAILED DESCRIPTIVE LIST

BEFORE ME, the undersigned notary public, came and appeared _____ who, after being duly sworn, declared that the following *Sworn Detailed Descriptive List* contains all of the community assets and debts, reimbursement, and accounting claims existing between the parties as of the _____ day of _____, 20____.

Date of Marriage: _____
Date Petition for Divorce Filed: _____
Date of Judgment of Divorce: _____

I. COMMUNITY ASSETS

Property Description	Possessed By	Value
Immovable Property		
1.		
2.		
3.		
4.		
5.		
Banking & Other Financial Accounts		
1.		
2.		
3.		
4.		
5.		
6.		
7.		
Household Furniture & Movables		
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
Other		
1.		
2.		
3.		
4.		
5.		

6.		
7.		
8.		

II. COMMUNITY DEBTS

Debt Description	Value
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

III. REIMBURSEMENT CLAIMS

Nature of Claim	Claimed By	Value
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

IV. PROPERTY CLAIMED TO BE SEPARATE

	Property Description	Possessed By	How Acquired	Adjudication by the Court
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

Signed by Petitioner

SWORN TO AND SUBSCRIBED BEFORE ME, notary public, on this ____ day of _____, 20__ at _____, LA.

Notary Public

APPENDIX 30.0B: SAMPLE SWORN DETAILED DESCRIPTIVE LIST

 Petitioner
 Versus

 Defendant

____ JUDICIAL DISTRICT COURT
 DOCKET NO. _____
 PARISH OF _____
 STATE OF LOUISIANA

SAMPLE SWORN DETAILED DESCRIPTIVE LIST

BEFORE ME, the undersigned notary public, came and appeared _____ who, after being duly sworn, declared that the following *Sworn Detailed Descriptive List* contains all of the community assets and debts, and reimbursement claims existing between the parties as of the _____ day of _____, 20____ and list of separate assets and debts.

Date of Marriage: _____
 Date Petition for Divorce Filed: _____
 Date of Judgment of Divorce: _____

I. COMMUNITY ASSETS

Property Description	Possessed By	Value
Immovable Property		
1. Family Home located at: _____ _____, LA	Husband	\$250,000.00
Banking & Other Financial Accounts		
1. 401k (retirement acct. #XXX-5678)	Husband	\$10,000.00
2. Metairie Bank (savings acct. #ABC-1234)	Wife	\$15,000.00
Household Furniture & Movable		
1. Vehicle #1 (state make/model/year)	Husband	\$15,000.00
2. Vehicle #2 (state make/model/year)	Wife	\$15,000.00
3. Child's Armoire	Husband	-0-
4. Antique corner china cabinet	Husband	\$5,000.00
5. Riding lawn mower (model, horsepower, etc.)	Husband	\$75.00
6. Refrigerator/freezer	Husband	\$100.00
7. Pots and pans	Husband	-0-
8. LSU Print	Wife	\$150.00
9. Video Camera and equipment	Wife	\$700.00
10. Computer desk	Wife	\$200.00
11. Oriental rug (dining room)	Wife	\$150.00
12. Christmas decorations	Wife	\$350.00
13. Kitchen table	Wife	\$500.00
14. Various DVDs and VCR tapes	Husband/Wife	-0-
Other		
1. Life insurance policy	Husband	-0-
2. Community Corporation	Husband	\$50,000.00
3. Horse	Wife	\$10,000.00

II. COMMUNITY DEBTS

Debt Description	Value
1. Regions Bank checking acct#XXX-1234 used to pay community debts post-termination	\$2,000.00
2. MNBA (Mastercard acct#XXX-1234)	\$6,319.36
3. Whitney National Bank acct#XXX-1234 (1 st mortgage on family home)	\$124,987.64
4. Capital One Bank, acct#XXX-1234 (2 nd mortgage on family home)	\$61,837.08
5. Henry Smith (loan)	\$15,950.00

III. REIMBURSEMENT CLAIMS

Nature of Claim	Claimed By	Value
1. Repairs made by Husband to family home	Husband	\$10,000.00
2. Repairs made by Wife to family home	Wife	-0-
3. Proceeds from sale of home in Oklahoma Husband owned prior to marriage used as down payment on family home	Husband	\$5,000.00
4. Payments made by Wife during the community on Husband's separate rental property	Wife	-0-
5. Victoria Secret Purchases	Wife	-0-

IV. SEPARATE ASSETS

	Property Description	Possessed By	How Acquired	Adjudication by the Court
1.	Lot located at _____	Husband	Purchased prior to the marriage by Husband	
2.	5 carat diamond ring	Wife	Gift to Wife prior to the marriage	
3.	Chase Bank, savings acct#XYZ-6789	Husband	Inherited from Husband's parents	
4.	Toyota Land Cruiser	Wife	Gift to Wife by her parents during the marriage	
5.	Royalties from _____	Husband	Reserved by declaration made according to law	

V. SEPARATE DEBTS

	Debt Description	Incurred By	How Incurred	Adjudication by the Court
1.	Student Loan with Resource Bank, acct# XXX-5678	Husband	Incurred prior to the marriage	
2.	Mastercard credit card, acct#ABC-1234	Wife	Incurred during the marriage for the interest of wife alone	
3.	Money Judgment in the court of _____ rendered in the suit entitled _____	Husband	Damages due to personal injuries of a third party caused by Husband	
4.				
5.				

Signed by Petitioner

SWORN TO AND SUBSCRIBED BEFORE ME, notary public, on this ____ day of

_____, 20__ at _____, LA.

Notary Public

APPENDIX 30.0C: JOINT DETAILED DESCRIPTIVE LIST

_____ JUDICIAL DISTRICT COURT

VERSUS _____ DOCKET NO. _____

_____ PARISH, LOUISIANA

JOINT DETAILED DESCRIPTIVE LIST

Party Name: _____

Party Represented By: _____

Date of Marriage: _____

Date Petition for Divorce filed: _____

Date of Judgment of Divorce: _____

I. COMMUNITY ASSETS

	Property Description	Possessed By	Husband Value	Wife Value	Concur or Traverse with Reasons	Adjudication by the Court (for court use only)
Immovable Property						
1.						
2.						
3.						
4.						
5.						
Banking & Other Financial Accounts						
1.						
2.						
3.						
4.						
5.						
6.						
7.						
Household Furniture & Movables						
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
Other						
1.						
2.						
3.						
4.						
5.						
TOTAL COMMUNITY ASSETS			\$	\$	-	-

II. COMMUNITY DEBTS

	Debt Description	Husband Amount	Wife Amount	Concur or Traverse with Reasons	Adjudication by the Court (for court use only)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
TOTAL COMMUNITY DEBTS		\$	\$	-	-

III. REIMBURSEMENT CLAIMS

A. HUSBAND

	Reimbursement Description	Husband Amount	Wife Amount	Concur or Traverse with Reasons	Adjudication by the Court (for court use only)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
TOTAL REIMBURSEMENT CLAIM OF HUSBAND		\$	\$	-	-

B. WIFE

	Reimbursement Description	Husband Amount	Wife Amount	Concur or Traverse with Reasons	Adjudication by the Court (for court use only)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
TOTAL REIMBURSEMENT CLAIM OF WIFE		\$	\$	-	-

IV. SEPARATE ASSETS

A. HUSBAND

	Property Description	Possessed By	How Acquired	Adjudication by the Court (for court use only)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

B. WIFE

	Property Description	Possessed By	How Acquired	Adjudication by the Court (for court use only)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

V. SEPARATE DEBTS

A. HUSBAND

	Debt Description	Incurred By	How Incurred	Adjudication by the Court (for court use only)
1.				
2.				
3.				
4.				
5.				

B. WIFE

	Debt Description	Incurred By	How Incurred	Adjudication by the Court (for court use only)
1.				
2.				
3.				
4.				
5.				

Each party certifies that the items, classifications, and values he/she has listed above is true and accurate as of the ____ day of _____, 20____ to the best of his/her knowledge, information, and belief.

Plaintiff

Defendant

Plaintiff's Attorney

Defendant's Attorney

APPENDIX 30.0D: SAMPLE JOINT DETAILED DESCRIPTIVE LIST

JUDICIAL DISTRICT COURT

VERSUS

DOCKET NO. _____

PARISH, LOUISIANA

SAMPLE JOINT DETAILED DESCRIPTIVE LIST

Party Name: _____

Party Represented By: _____

Date of Marriage: _____

Date Petition for Divorce filed: _____

Date of Judgment of Divorce: _____

I. COMMUNITY ASSETS

	Property Description	Possessed By	Husband Value	Wife Value	Concur or Traverse with Reasons	Adjudication by the Court
<u>Immovable Property</u>						
1.	Family Home	Wife	\$250,000.00	\$350,000.00	Traverse. H says numerous repairs needed and has appraisal; W has competing appraisal	
<u>Banking & Other Financial Accounts</u>						
1.	401k	Husband	\$10,000.00	\$150,000.00	Traverse. Disputed value based upon different statements; W has claim for reimbursement asserted below for monies withdrawn by H	
2.	Checking Account	Wife	\$3,798.40	-0-	Traverse. H has statement; W alleges money spent post-termination for community debts	
3.	Life insurance	Husband	-0-	\$25,000.00	Traverse. H alleges term and W relies on face value	
<u>Household Furniture & Movables</u>						
1.	Vehicle (year, make, model)	Husband	\$15,000.00	\$25,000.00	Traverse. H says high mileage and has NADA value; W has NADA value with different options	
3.	Antique corner cabinet	Wife	\$5,000.00	-0-	Traverse. W alleges gift from grandmother to her during marriage	
4.	Pots and pans	Disputed	-0-	\$250.00	Traverse. H	

					alleges split between parties; W alleges H has possession	
Other						
1.	Community Corporation	Husband	\$50,000.00	\$300,000.00	Traverse. W has valuation expert; H disputes application of goodwill	
TOTAL COMMUNITY ASSETS			\$333,798.40	\$850,250.00	–	–

II. COMMUNITY DEBTS

	Debt Description	Husband Amount	Wife Amount	Concur or Traverse with Reasons	Adjudication by the Court
1.	MNBA (MasterCard), Acct. #XXX-1234	\$6,319.36	\$3,319.36	Traverse. W claims H made \$3,000.00 cash advance after community terminated	
2.	Whitney National Bank, Acct. #XXX-1234 (1st mortgage on family home)	\$84,987.64	\$84,987.64	Concur	
3.	Loan from John Doe	\$15,489.00	-0-	Traverse. W alleges no such loan and if so, no benefit to community; H argues presumption of community	
TOTAL COMMUNITY DEBTS		\$106,796.00	\$88,307.00	–	–

III. REIMBURSEMENT CLAIMS

A. HUSBAND

	Reimbursement Description	Husband Amount	Wife Amount	Concur or Traverse with Reasons	Adjudication by the Court
1.	Repairs made by Husband to rent house which is Wife's separate property	\$5,000.00	-0-	Traverse. H argues uncompensated labor; W alleges did not increase value of house	
2.	Proceeds from sale of home in Oklahoma Husband owned prior to marriage used as down payment on family home	\$35,000.00	-0-	Traverse. H has copy of sale and HUD-1; W alleges commingled for two years	
TOTAL REIMBURSEMENT CLAIM OF HUSBAND		\$40,000.00	-0-	–	–

B. WIFE

	Reimbursement Description	Husband Amount	Wife Amount	Concur or Traverse with Reasons	Adjudication by the Court
1.	401 K withdrawal by husband two months before community terminated	-0-	\$50,000.00	Traverse. H alleges money spent during community. W alleges H spent money on jewelry, gifts and trip for girlfriend	
TOTAL REIMBURSEMENT CLAIM OF WIFE		-0-	\$50,000.00	-	-

IV. SEPARATE ASSETS

A. HUSBAND

	Property Description	Possessed By	How Acquired	Adjudication by the Court
1.	12 gauge shotgun	Wife	H alleges a gift to him by his father	

B. WIFE

	Property Description	Possessed By	How Acquired	Adjudication by the Court
1.	1 carat diamond ring	Husband	W alleges it was given to her by H as a gift during the marriage	

V. SEPARATE DEBTS

A. HUSBAND

	Debt Description	Incurred By	How Incurred	Adjudication by the Court
1.	\$3,342.13 Am Ex credit card debt	Husband	W alleges incurred to bring H's major child by another marriage to tour college campuses and that it did not benefit her or the community	

B. WIFE

	Debt Description	Incurred By	How Incurred	Adjudication by the Court
1.	\$7,314.00 Student Loan	Wife	H alleges incurred prior to marriage, W alleges incurred after marriage	

Each party certifies that the items, classifications, and values he/she has listed above is true and accurate as of the ___ day of _____, 20___ to the best of his/her knowledge, information, and belief.

Plaintiff

Defendant

Plaintiff's Attorney

Defendant's Attorney

APPENDIX 30.0E: COURT-SPECIFIC RULES CONCERNING DETAILED DESCRIPTIVE LISTS

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING DETAILED DESCRIPTIVE LISTS
14 th J.D.C.	Calcasieu Parish	<p>(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.</p> <p>(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.</p> <p>(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 <i>Joint Detailed Descriptive List</i>. That combined list shall contain the following information:</p> <ul style="list-style-type: none"> (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

		<p>the combined list will, at the discretion of the Court, be excluded from trial.</p> <p>(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.</p> <p>(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 <i>Joint Detailed Descriptive List</i> submitted to the Hearing Officer at the Hearing Officer Conference, the changes shall be made to the <i>Joint Detailed Descriptive List</i> 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.</p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p style="text-align: center;">COMMENCEMENT OF PROCEEDINGS</p> <p>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 Amended effective action between the same parties.</p> <p style="text-align: center;">SWORN DETAILED DESCRIPTIVE LIST</p> <p>Each party shall update and file their detailed descriptive list at least thirty (30) days prior to a partition trial on the merits, but in no event shall the update be prepared and filed more than sixty (60) days prior to trial.</p> <p style="text-align: center;">PRE-TRIAL PROCEDURES</p> <p>Upon filing of a traversal of the descriptive lists as set forth in La. R.S. 9:2801(2), either party may request that the matter be set for trial of the traverses and/or on the merits. All trials of the traverses and/or all partition trials shall be fixed on a merits docket and shall be scheduled in accordance with the 15th JDC rules in Appendices 24.7A and 24.7B. The trial of the traverses and/or the partition trial shall not be fixed unless both parties have filed a detailed descriptive list into the record of the proceeding in accordance with R.S. 9:2801(1)(a), or unless a detailed descriptive list has been deemed to</p>

		<p>constitute a judicial determination of the community assets and liabilities by the Court in accordance with La. R.S. 9:2801(1)(a). The Motion to Fix for Trial shall contain a certification signed by the party or his counsel to this effect.</p> <p>Except for good cause shown, at least two (2) days prior to the scheduled Hearing Officer Conference, counsel and/or the parties shall meet jointly, in person, to discuss the nature and basis of their claims and defenses. However, under no circumstances shall an attorney be compelled to meet with an unrepresented party. At the joint meeting, counsel and/or the parties in attendance shall make a good faith effort to narrow the issues, reach joint stipulations to dispose of uncontested matters, discuss and attempt to resolve any matters concerning the authenticity or admissibility of exhibits produced in response to discovery, and attempt a settlement of the matter. Further, the attorneys shall prepare a combined detailed descriptive list which sets forth all community property claims, reimbursement claims, community obligation claims and separate property claims, as well as the nature of the disputes between the parties, in such a manner so that the Court can make a side by side comparison of each claims. An example of a combined detailed descriptive list may be found in Appendices 30.0C and 30.0D.</p>
<p>Family Court for the Parish of East Baton Rouge</p>	<p>East Baton Rouge Parish</p>	<p>SWORN DETAILED DESCRIPTIVE LISTS</p> <p>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.</p> <p>AUCTION OF MOVABLES</p> <ol style="list-style-type: none"> 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

		<p>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.</p> <p>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.</p>
20 th J.D.C.	East Feliciana and West Feliciana Parishes	<p>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.</p> <p>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.</p> <p>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.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>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.</p> <p>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 (<i>See</i> Appendices 30.0C and 30.0D). The combined list shall be filed in accordance with the Partition Case Management Schedule issued by the court.</p> <p>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</p>

		<p>continue the trial date, or other such appropriate recommendations.</p> <p>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.</p>
<p>24th J.D.C.</p>	<p>Jefferson Parish</p>	<p>Sworn detailed descriptive lists shall be filed, traversed or concurred with in accordance with La. R.S. 9:2801 and the <i>Commencement of Proceedings</i> section below. A rule to show cause why any time period should not be extended shall be heard by the domestic commissioner.</p> <p style="text-align: center;">COMMENCEMENT OF PARTITION PROCEEDINGS</p> <p>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.</p> <p>B. Community property issues shall be discussed at the time of the initial hearing officer conference.</p> <p>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.</p> <p>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.</p> <p>E. The written recommendation of the hearing officer concerning partition of property shall contain all of the following:</p> <ol style="list-style-type: none"> 1. A statement of the findings of fact of the hearing officer;

		<ol style="list-style-type: none">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; and4. 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.
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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 style="text-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 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. If an Objection to that recommendation is filed by either party, that recommendation shall remain only a recommendation pending a hearing.</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</p>

		<p>requested by the special master or expert. Unless otherwise agreed by the parties or authorized by the 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.

**APPENDIX 30.2: COURT-SPECIFIC RULES CONCERNING PARTITION OF
COMMUNITY PROPERTY**

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING PARTITION OF COMMUNITY PROPERTY</u>
10 th J.D.C.	Natchitoches Parish	<p>Effective, immediately, in all property settlement cases to be tried in this Court, all counsel shall file, at least 48 hours before the day of trial, one stipulation signed by the person or persons they represent and by counsel, setting forth, in detail, the following information:</p> <ol style="list-style-type: none"> (1) An agreed list of personal and real marital property, both tangible and intangible, acquired by either or both spouses during the marriage; (2) An agreed list of separate property, both tangible and intangible, acquired before marriage or by gift, bequest, descent or inheritance; (3) All other property owned by the parties whose character marital or separate--is to be decided by the Court after receipt of proof. <p>Failure to comply with this rule will result in the trial being continued until the rule is fully met.</p>
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p style="text-align: center;">COMMENCEMENT OF PROCEEDINGS</p> <p>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 Amended effective action between the same parties.</p> <p style="text-align: center;">SWORN DETAILED DESCRIPTIVE LIST</p> <p>Each party shall update and file their detailed descriptive list at least thirty (30) days prior to a partition trial on the merits, but in no event shall the update be prepared and filed more than sixty (60) days prior to trial.</p> <p style="text-align: center;">PRE-TRIAL PROCEDURES</p> <p>Upon filing of a traversal of the descriptive lists as set forth in La. R.S. 9:2801(2), either party may request that the matter be set for trial of the traverses and/or on the merits. All trials of the traverses and/or all partition trials shall be fixed on a merits docket and shall be scheduled in accordance with the 15th JDC rules in Appendices 24.7A and 24.7B. The trial of the traverses and/or the partition trial shall not be fixed unless both parties have filed a detailed descriptive list into the record of the proceeding in accordance with R.S. 9:2801(1)(a), or unless a detailed descriptive list has been deemed to constitute a judicial determination of the community assets and liabilities by the Court in accordance with La. R.S. 9:2801(1)(a). The Motion to Fix for Trial shall contain</p>

a certification signed by the party or his counsel to this effect.

Except for good cause shown, at least two (2) days prior to the scheduled Hearing Officer Conference, counsel and/or the parties shall meet jointly, in person, to discuss the nature and basis of their claims and defenses. However, under no circumstances shall an attorney be compelled to meet with an unrepresented party. At the joint meeting, counsel and/or the parties in attendance shall make a good faith effort to narrow the issues, reach joint stipulations to dispose of uncontested matters, discuss and attempt to resolve any matters concerning the authenticity or admissibility of exhibits produced in response to discovery, and attempt a settlement of the matter. Further, the attorneys shall prepare a combined detailed descriptive list which sets forth all community property claims, reimbursement claims, community obligation claims and separate property claims, as well as the nature of the disputes between the parties, in such a manner so that the Court can make a side by side comparison of each claims. An example of a combined detailed descriptive list may be found in Appendices 30.0C and 30.0D.

All attorneys of record are responsible for arranging the joint meeting at a mutually agreeable time and location and are responsible for personally attending the meeting. At the joint meeting, counsel and/or the parties are to complete a Mandatory Checklist for Community Property Matters:

MANDATORY CHECKLIST FOR COMMUNITY PROPERTY MATTERS

(Note: Must be completed by attorney of record and hand-delivered to the Hearing Officer at the beginning of the Hearing Officer Conference)

I DECLARE that I am counsel of record in this matter and I certify the following:

1. Counsel of record have had the joint meeting as required by the Local Court Rules Yes/No
2. The parties and/or their counsel have prepared a combined Detailed Descriptive List as required by the Local Court Rules. Yes/No

If the answer to either of the above questions is No, please re-schedule your Hearing Officer Conference and/or Trial until these matters have been accomplished.

4. Is there an agreement regarding the partition of the movable community items? Yes/No

5. If not, what items remain in dispute? _____

6. What issues are still outstanding?

7. Is your client is an employee participant in a benefit plan in which the community possesses an interest? Yes/No

If yes, have you obtained all available forms and other necessary information from the plan administrator for submission to the Court and to opposing counsel, or the opposing party if unrepresented, so that a Qualified Domestic Relations Order (QDRO) can be prepared as directed by the Court? Yes/No

ATTORNEY CERTIFICATION

I hereby certify that the above is true and correct to the best of my knowledge information and belief and that I have consulted with my client in the preparation hereof. This certification is made to the Court for use in partitioning the community of acquets and gains.

Date of Conference

Signed By Attorney for Plaintiff/Defendant

Bar Number

Date of Certification

Address

Telephone Number

All attorneys of record are responsible for preparing and filing the checklist.

Additionally, the matter shall be set for a Hearing Officer conference before the assigned Hearing Officer, which conference shall take place no less than twenty-one (21) days before any scheduled trial. Notice of the scheduled trial and Hearing Officer Conference shall be mailed to all counsel of record and unrepresented parties. The purpose of the conference shall be to determine if the case is ready for trial and to discuss the nature and basis of the claims and defenses and to make a good faith effort to narrow the issues, reach joint stipulations to dispose of uncontested matters, discuss and attempt to resolve any matter concerning the authenticity or admissibility of exhibits produced in response to discovery, and attempt a settlement of the matter.

If the matter is not resolved or determined not ready for trial, the Hearing Officer

		<p>may recommend an appropriate scheduling order and either party may request a pre-trial conference before the designated Division Judge in accordance with these rules.</p> <p>The Court may, on the motion of either party, or on its own motion, require a separate hearing on contested issues of law or fact or on the issues of the separate or community nature of assets or obligations and/or the valuation of assets, liabilities or reimbursements, prior to a trial on the merits. Decisions on questions of law or fact shall be considered preliminary findings in nature for appeal purposes. No appeal may be taken until final judgment covering all community property issues heard pursuant to La. R.S. 9:2801 et. seq. is signed.</p> <p style="text-align: center;">SUMMARY PROCEEDINGS</p> <p>The trial of the traverses and trial on the merits shall be set on the Court’s regular merits docket.</p> <p style="text-align: center;">FORM OF JUDGMENT</p> <p>It shall be the responsibility of any party who is an employee participant in a benefit plan in which the community possesses an interest to obtain all available forms and other necessary information from the plan administrator which shall be submitted to the Court and to opposing counsel, or the opposing party if unrepresented, so that a qualified domestic relations (QDRO) order can be prepared as directed by the Court;</p>
<p>18th J.D.C.</p>	<p>Iberville, Pointe Coupee, and West Baton Rouge Parishes</p>	<p style="text-align: center;">PARTITION OF COMMUNITY PROPERTY</p> <p>Section A. Commencement of Proceedings.</p> <p>All partitions shall be filed in the same suit number of the divorce and/or separation of property action between the same parties. All partition actions, petitions 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.</p> <p>Section B. Sworn Detailed Descriptive List.</p> <p>1. In a case in which the first pleading requesting a partition contains a sworn detailed descriptive list, that pleading shall include an order adopted by the court requiring that:</p> <ul style="list-style-type: none"> (a). The opposing party files a sworn detailed descriptive list within 45 days of service on opposing party of the first pleading requesting a partition; and (b). Within 60 days of the date of the last filed sworn detailed descriptive <p>2. In a case in which the first pleading does not contain a sworn detailed descriptive list, it shall contain an order requiring that:</p> <ul style="list-style-type: none"> (a). Both parties file sworn detailed descriptive lists within 45 days of service on the opposing party of the first pleading requesting a partition; and

(b). Within 60 days of the date of the last filed sworn detailed descriptive list each party shall traverse or concur in the list of the other party.

3. A sworn detailed descriptive list shall contain a section setting out a proposed monetary value (if reasonably within the knowledge of the affiant), or alternatively, the value at which affiant would be willing to buy or sell each asset. (See Form H)

4. If a sworn detailed descriptive list is filed before that of the respondent, the respondent's sworn detailed descriptive list shall follow the order and form of the first filed sworn detailed descriptive list, and shall state concurrence or traversals as to each item and the reason for traversal. Additions for assets and debts, reimbursements or other claims not listed in the first detailed descriptive list filed can be made.

5. Respondent's sworn detailed descriptive list shall be filed in conformity with the court order no later than 45 days from service of the original pleading requesting partition. No *ex parte* extensions will be granted, except as provided in Rule 33. All requests for extension shall be by contradictory motion, or with consent of all counsel.

Section C. Pretrial Procedures

1. Either party may request a pre-trial conference by submission of a consolidation of the sworn detailed descriptive lists, (similar to Form H) and a statement of contested issues of fact and law. The parties shall jointly submit a proposed pretrial order. (See Form I) Alternatively, one party may request from the appropriate judge, a status conference or an order compelling pre-trial inserts from the opposing party.

2. At the pre-trial conference, the Court shall, if appropriate, fix a date for a hearing on the classifications of issues; and in all cases, shall fix a date for a submission of a completed pretrial order; and shall fix a date for trial on the merits. If appropriate, the Court may also establish a deadline for discovery, fix a date for filing pre-trial memoranda accompanied by a party's proposed allocation of assets and liabilities, appoint experts, and render any other appropriate order. (See Attached Revised Case Management Form)

Section D. Extensions And Continuances.

See Rule 33

Section E. Sanctions.

See Rule 34

Section F. Summary Proceedings

The Court may, on motion of either party, or on its own motion, require a separate hearing on contested issues of law prior to a trial on the issues of valuation, allocation of assets, liabilities and reimbursements. Decisions on

		<p>questions of law shall be considered preliminary findings in nature for appeal purposes. No appeal may be taken until the final judgment covering all the issues is signed. See Louisiana Code of Civil Procedure Article 1915.</p> <p>Section G. Alternatives For Resolution Of Disposition Of Assets</p> <p>The parties may choose, or the court on its own motion, may order one or more of the following four alternatives:</p> <ol style="list-style-type: none"> 1. Auction to be conducted using the bid list form; (See Form K). 2. Alternative Selection: The compiled lists, as described above shall be divided randomly or by process agreed upon by the parties according to category containing the name/description of an item from the first category. That party shall then set a price for the first item, alternating thereafter. The other party has the option to buy or refuse the item at that price. If the party refuses, then the party, who drew the item and set the price, must purchase the property at that price. The parties then alternate drawing from the category until the disposition of all items in that category. The parties shall continue in this process for all categories. 3. Appraisal Preliminary to Partition: Within thirty (30) days of submission of a joint written motion signed by either parties or their counsel, the Court shall appoint such appraiser(s) as, in its discretion, are required to determine the fair market value of both movables and/or immovables. Fees and costs associated with the work of the appraiser(s) shall be taxed as costs of court and shall be considered in the final accounting. Both parties shall share equally the fee and costs of appraisal, except for those instances in which it can be shown at a contradictory hearing within ten (10) days of the filing of the appraisers' report that failure to cooperate increased the fees and costs of the appraisal(s). When there are liquid assets of the community, the court may order the fees and costs of the appraisal(s) to be paid from those liquid assets prior to a final accounting. At the time of the appointment of the appraiser(s), the court may order the parties, to deposit in advance estimated fees and costs into the registry of the court; and 4. Dispute Resolution: The judge may appoint an expert pursuant to La. R.S. 9:2801(3). The expert chosen by the trial judge shall, absent an agreement between the parties, determine the method of division of assets and reimbursement of credits between the parties. The expert shall meet with counsel for the parties (or parties in proper person) to arrange a date and location for the division to occur. The dispute resolution agreement arrange a date and location for the division to occur. The dispute resolution agreement shall be signed by both parties and their counsel and submitted to the trial judge for signature.
<p>Family Court for the Parish of East</p>	<p>East Baton Rouge Parish</p>	<p style="text-align: center;">AUCTION OF MOVABLES</p> <ol style="list-style-type: none"> 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.

Baton Rouge		<p>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.</p> <p>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.</p>
20 th J.D.C.	East Feliciana and West Feliciana	<p>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.</p> <p>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.</p> <p>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.</p>
22 nd J.D.C.	St. Tammany and Washington	<p>A. 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 joint detailed descriptive list (<i>See</i> Appendices 30.0C and 30.0D). The joint list shall be filed in accordance with the Partition Case Management Schedule issued by the court.</p> <p>B. 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.</p> <p>C. 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.</p>
24 th	Jefferson Parish	COMMENCEMENT OF PARTITION PROCEEDINGS

<p>J.D.C.</p>	<p>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.</p> <p>B. Community property issues shall be discussed at the time of the initial hearing officer conference.</p> <p>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.</p> <p>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.</p> <p>E. The written recommendation of the hearing officer concerning partition of property shall contain all of the following:</p> <ol style="list-style-type: none"> 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. <p style="text-align: center;">SWORN DETAILED DESCRIPTIVE LIST</p> <p>Sworn detailed descriptive lists shall be filed, traversed or concurred with in accordance with La. R.S. 9:2801 and Rule 30.0.</p> <p>A rule to show cause why any time period should not be extended shall be heard by the domestic commissioner.</p> <p style="text-align: center;">PRE-TRIAL PROCEDURES</p> <p>A. At the discretion of the district judge, a pre-trial conference may be scheduled before the district judge not less than thirty (30) days prior to trial.</p> <p>B. Except for good cause shown, at least fourteen (14) days prior to the pre-trial conference with the district judge, counsel and/or the parties shall meet jointly, in person, to prepare a joint pre-trial order. At the joint meeting, counsel and/or the parties in attendance shall make a good faith effort to narrow the issues, reach joint stipulations to dispose of uncontested matters, discuss and attempt to resolve any matters concerning the authenticity or admissibility of exhibits produced in response to discovery, and attempt a settlement of the matter.</p>
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1. All attorneys of record are responsible for arranging the joint meeting at a mutually agreeable time and location and are responsible for personally attending the meeting.
2. At the joint meeting, counsel and/or the parties are to prepare a joint pre-trial order substantially in compliance with the hearing officer scheduling order.
3. The parties shall deliver the completed pre-trial order to the district judge at least three (3) working days before the pre-trial conference.
4. No attorney shall be compelled to meet with an unrepresented party.

C. It shall be the responsibility of counsel representing any party, and/or parties, if unrepresented, who is an employee participant in a benefit plan in which the community possesses an interest to obtain all available forms and other necessary information from the plan administrator before the joint meeting of counsel and/or parties which shall be submitted to the court and to opposing counsel, or the opposing party if unrepresented, so that a Qualified Domestic Relations Order (QDRO) can be prepared as directed by the court.

D. The court may, on its own motion, or on motion of either party, require a separate hearing, prior to a trial on the merits, on:

1. contested issues of law or fact;
2. issues of the separate or community nature of assets or obligations;
3. valuation of assets, liabilities or reimbursements.

Decisions on questions of law or fact shall be considered preliminary findings for appeal purposes. No appeal may be taken until the final judgment is signed covering all community property issues heard pursuant to La. R.S. 9:2801 et seq. See La. C.C.P. Art. 1915.

EXTENSIONS AND CONTINUANCES

Except for emergencies, any ex parte motion, including, but not limited to, a motion for a 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 unusual circumstances, the court shall hear from opposing counsel or litigant before acting on an ex parte motion.

SANCTIONS

Failure by an attorney or unrepresented litigant to comply with the rules in this Appendix 30.2, La. R. S. 9:2801 or any other rules of the Code of Civil Procedure relating to partitions may result in sanctions.

SUMMARY PROCEEDINGS

The trial of the traverses of the sworn descriptive list may be by summary procedure. The court, in its discretion, may by ordinary procedure try and determine at one hearing all issues, including those raised in the traverses. La. R.S. 9:2801.

ALTERNATIVES FOR RESOLUTION OF DISPOSITION OF ASSETS

The parties may choose, or the court on its own motion, may order:

A. An auction to be conducted using the bid list form.

B. Alternative Selection: The compiled lists shall be divided by placing each item on a separate slip of paper with each grouped according to category. The first party shall draw blind, a slip containing the name/description of an item from the first category. That party shall then set a price for the item drawn. Said category and price shall be within the parameters of the two values contained on the sworn detailed descriptive list given to the other party who has the option to buy or refuse the item at that price. If the party refuses, then the party who drew the item and set the price, must purchase the property at that price. The parties then alternate drawing from the category until the disposition of all items in that category. The parties shall continue in this process for all categories.

C. Appraisal Preliminary to Partition: Within thirty (30) days of submission of a joint written motion signed by both parties or their counsel, the court shall appoint such appraiser(s) as, in its discretion, are required to determine the fair market value of both movables and/or immovables. Fees and costs associated with the work of the appraiser(s) shall be taxed as costs of court and shall be considered in the final accounting. As ordered by the court, the parties shall pay the fee and costs of appraisal. When there are liquid assets of the community, the court may order the fees and costs of the appraisal(s) to be paid from those liquid assets prior to a final accounting. At the time of the appointment of the appraiser(s), the court may order the parties, to deposit, into the registry of the court, in advance, estimated fees and costs.

D. Dispute Resolution: The judge may appoint an expert pursuant to La. R.S. 9:2801 (3), La. C.C.P. Art. 192 and La. C.E. Art. 706.

E. By agreement of the parties, the court may appoint a mediator to address community property issues.

F. The parties may also choose to address the community property issues through the collaborative process. *See* Appendix 31.3.

FORM OF JUDGMENT

A. All judgments submitted for signature shall contain the name of the judge, the name, current mailing address, telephone number, and bar number of all counsel of record, or the name, current mailing address, and telephone number of the parties if not represented by counsel, whether the judgment is partial, final or interlocutory, and whether by default or after a trial or contested hearing.

B. In property partition cases:

1. It shall be the responsibility of counsel, and/or parties, if unrepresented, to prepare and submit a QDRO and/or other plans for employees' benefits, along with the judgment to be signed by the trial judge if necessary for the release of retirement funds.
2. All property partition judgments shall contain appropriate conveyance language.

APPENDIX 31.0: COURT-SPECIFIC RULES CONCERNING THE USE OF ELECTRONIC AND RECORDING DEVICES

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING THE USE OF ELECTRONIC AND RECORDING DEVICES
14 th J.D.C.	Calcasieu Parish	Sketching, photographing and/or recording by any means are prohibited in the courthouse. No cameras of any kind shall be permitted in the courtroom or other location of court proceedings without the permission of the Judge.
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>The use of cell phone, electronic, digital or wireless devices of any kind is strictly prohibited in the courtroom and in chambers at all times unless prior approval by the Court is granted.</p> <p>The use of cell phone, electronic, digital or wireless devices of any kind is strictly prohibited during Hearing Officer Conferences at all times unless prior approval by the Hearing Officer is granted.</p> <p>The term ‘use’ includes, but is not limited to, the sending or receiving of mobile phone calls, text messages and email. It also includes sending, receiving, viewing or recording video or audio, camera use and web browsing. Such devices shall be turned “OFF” at all times whether or not the Court or a Hearing Officer Conference is in session.</p> <p>Penalties for violation of this Court Rule may include a finding of contempt of court, with all applicable penalties provided by state law, including but not limited to confiscation of the device(s) and/or monetary sanctions.</p>

APPENDIX 31.1: COURT-SPECIFIC RULES CONCERNING ORAL ARGUMENTS

COURT	PARISH	COURT-SPECIFIC RULES CONCERNING ORAL ARGUMENTS

APPENDIX 31.2: COURT-SPECIFIC RULES CONCERNING ENROLLMENT AND WITHDRAWAL OF COUNSEL

<u>COURT</u>	<u>PARISHES</u>	<u>COURT-SPECIFIC RULES CONCERNING ENROLLMENT AND WITHDRAWAL OF COUNSEL</u>
10 th J.D.C.	Natchitoches Parish	La. Dist. Ct. R. 9.13 is applicable in Family and Domestic Relations Proceedings.
14 th J.D.C.	Calcasieu Parish	<p>A. If a case is not pending a hearing or trial, any attorney may, by ex parte order, be permitted to withdraw his representation of a party. The ex parte order shall be presented to the Judge of the division in which the case is pending. An attorney who has been permitted by ex parte order to withdraw shall give notice of same to all other counsel and all unrepresented parties.</p> <p>B. If a case is pending a hearing or trial, an attorney may withdraw his representation of a party only if the motion to withdraw is filed with an affidavit and supporting documentation that the withdrawing counsel gave written notification of their withdrawal and the next hearing date to their client. All opposing counsel, unrepresented parties, and the party whom the attorney represents shall be served with a copy of the motion. The Court may not grant the motion if doing so would necessitate the delaying or reassignment of the case for trial, unless consented to by opposing counsel, and if permitted by the Court.</p> <p>C. All motions to withdraw shall contain the last known mailing address and phone number of the attorney's client.</p> <p>D. Nothing in this rule shall be construed to prevent the substitution of counsel for a litigant at any time prior to commencement of hearing or trial, provided that the motion to substitute is signed by both the withdrawing and enrolling attorney and shall not retard the scheduled hearing or trial.</p>
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p>Section A. Prior to the mailing of a notice of assignment for trial by the Court, any attorney may be permitted to withdraw, ex-parte, his/her representation of a party. The ex parte order shall be presented to the appropriate judge with a certification that there are no hearings scheduled; otherwise, a conference with the presiding judge is required.</p> <p>Section B. Following the mailing of such notice, an attorney may withdraw his/her representation of a party litigant only upon contradictory motion for good cause shown. All opposing counsel is to be served with a copy of the motion and order to show cause. The Court shall not grant the motion if to do so would necessitate the reassignment of the case for trial, unless consented to by opposing counsel.</p>

		<p>Section C. An attorney who has been permitted by ex parte order to withdraw shall give notice of same to all other counsel. In all cases of withdrawal, the attorney, by certified mail, must advise that he/she is no longer of counsel and shall further advise other counsel of the status of the case on the Court's docket.</p> <p>Section D. Nothing in this rule shall be construed to prevent the substitution of counsel at any time prior to commencement of trial, provided the motion to substitute is signed by both the withdrawing and the enrolling attorney and does not necessitate the reassignment of the case for trial unless by consent.</p>
<p>Family Court for the Parish of East Baton Rouge</p>	<p>East Baton Rouge</p>	<p style="text-align: center;">ENROLLMENT AS COUNSEL OF RECORD.</p> <p>1. Attorneys may enroll as counsel of record by oral motion made in open court when all parties or their counsel are present, or by filing a written motion to enroll.</p> <p>2. An attorney may also enroll as counsel of record for limited purposes. The attorney shall file a notice of limited appearance, Form L, with or prior to the initial pleading or prior to the initial hearing. The attorney shall provide copies of the notice to all other counsels of record, self-represented parties, and the Court. All pleadings filed by an attorney who has made a limited appearance shall include “Attorney for limited purpose of [matter or proceeding]” in bold type on the signature page.</p> <p style="text-align: center;">WITHDRAWAL AS COUNSEL OF RECORD.</p> <p>1. Enrolled attorneys have, apart from their own interests, continuing legal and ethical duties to their clients, all adverse parties, and the Court. Accordingly, the following requirements govern all motions to withdraw as counsel of record.</p> <p>2. A withdrawing attorney who does not have written consent from the client shall make a good faith attempt to notify the client in writing of the withdrawal and of the status of the case on the Court's docket. The attorney shall deliver or mail this notice to the client before filing any motion to withdraw.</p> <p>3. If the action or proceeding has been assigned to a particular division of the Court, then the motion to withdraw shall be submitted to the judge presiding over that division.</p> <p>4. All motions to withdraw shall include the following information. 1) The motion shall state current or last-known street address and mailing address of the withdrawing attorney's client. The withdrawing attorney shall also furnish this information to the Clerk of Court. 2) If a scheduling order</p>

		<p>is in effect, a copy of it shall be attached to the motion. 3) The motion shall state whether any conference, hearing, or trial is scheduled and, if so, its date. 4) The motion shall include a certificate that the withdrawing attorney has complied with § 2 of this rule and with Rule 1.16 of the Rules of Professional Conduct. A copy of the written communication required by § 2 of this rule shall be attached to the motion. 5) If the motion is to withdraw upon completion of a limited appearance, the motion shall include a certification by the withdrawing attorney that the agreed upon limited services have been completed and that the withdrawing attorney has submitted all judgments or orders resulting from the limited appearance as ordered by the court. A copy of the relevant notice of limited appearance shall be attached to the motion.</p> <p>5. The court may allow an attorney to withdraw by ex parte motion if: 1) The attorney has been terminated by the client; or 2) The attorney has secured the written consent of the client and of all parties or their respective counsel; or 3) A limited appearance, as authorized by Rule 1.2(c) of the Rules of Professional Conduct and consented to by the client, has been completed; or 4) The case has been concluded; or 5) No hearing or trial is scheduled in the matter.</p> <p>6. If § 5 of this rule does not apply, then an attorney may withdraw as counsel of record only after a contradictory hearing and for good cause. All parties and the withdrawing attorney's client shall be served with a copy of the motion and rule to show cause why it should not be granted.</p> <p>7. If counsel's withdrawal would delay a scheduled hearing or trial, the court will not allow the withdrawal unless exceptional circumstances exist or limited representation was undertaken and completed pursuant to a notice for limited appearance.</p> <p>8. A motion to substitute counsel may be submitted if signed by both the withdrawing attorney and the enrolling attorney. The Court may grant the motion without a hearing. Substitution of counsel will not, by itself, be good cause to alter or delay any scheduled matters or deadlines.</p>
26 th J.D.C.	Bossier and Webster Parishes	<p>Enrolled attorneys have, apart from their own interests, continuing legal and ethical duties to their clients, all adverse parties, and the court. Accordingly, the following requirements govern any motion to withdraw as counsel of record:</p> <p>(a) The withdrawing attorney who does not have written consent from the client must make a good faith attempt to notify the client in writing of the withdrawal and of the status of the case on the court's docket. The attorney must deliver or mail this notice to the client before filing any</p>

		<p>motion to withdraw.</p> <p>(b) If the action or proceeding has been assigned to a particular section or division of the court, then the motion to withdraw must be submitted to the judge presiding over that section or division.</p> <p>(c) Any motion to withdraw must include the following information:</p> <ol style="list-style-type: none">(1) The motion must state current or last known street address and mailing address of the withdrawing attorney's client. The withdrawing attorney must also furnish this information to the clerk of court.(2) If a scheduling order is in effect, a copy of it must be attached to the motion.(3) The motion must state whether any conference, hearing, or trial is scheduled, and, if so, its date.(4) The motion must include a certificate that the withdrawing attorney has complied with paragraph (a) and with Rule 1.16 of the Rules of Professional Conduct, Louisiana State Bar Association, Articles of Incorporation, Art. 16. A copy of the written communication required by paragraph (a) must be attached to the motion. <p>(d) The court may allow an attorney to withdraw on ex parte motion if:</p> <ol style="list-style-type: none">(1) The attorney has been terminated by the client; or(2) The attorney has secured the written consent of the client and of all parties or their respective counsel; or(3) No hearing or trial is scheduled, or the case has been concluded. <p>(e) If paragraph (d) does not apply, then an attorney may withdraw as counsel of record only after a contradictory hearing and for good cause. All parties and the withdrawing attorney's client must be served with a copy of the motion and rule to show cause why it should not be granted.</p> <p>(f) If counsel's withdrawal would delay a scheduled hearing or trial, the court will not allow the withdrawal, unless exceptional circumstances exist.</p>
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		<p>(g) Paragraphs (a) through (f) do not apply to an ex parte motion to substitute counsel signed by both the withdrawing attorney and the enrolling attorney. The following rules govern such a motion:</p> <ol style="list-style-type: none">(1) The court may grant the motion without a hearing. Movers must furnish the court with a proposed order.(2) Substitution of counsel will not by itself be good cause to alter or delay any scheduled matters or deadlines.
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APPENDIX 31.3: COURT-SPECIFIC RULES CONCERNING COLLABORATIVE DIVORCE PROCEDURES

COURT	PARISH	COURT-SPECIFIC RULES CONCERNING COLLABORATIVE DIVORCE PROCEDURES
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p>Case filings designated as an approved Collaborative Law matter shall be exempt from deadlines and other local rules of court proceedings concerning domestic cases. The attorneys shall certify in the Petition for Divorce that this is a collaborative law case, and that they and the clients have signed a Contract to proceed in a collaborative manner. In the event of an impasse, and either party withdraws from the collaborative process, both attorneys shall file a motion to withdraw as counsel of record, and they shall certify in the motion that the collaborative process is in impasse.</p> <p>Once a collaborative case is at impasse and the attorneys in the collaborative process have withdrawn as counsel of record, the matter shall be deemed one for regular litigation, and it shall then proceed according to all local court rules of the Fifteenth Judicial District.</p> <p>Any attorney that enters into a collaborative law agreement in the Fifteenth Judicial District shall be in good standing with the Louisiana State Bar Association, and they shall have the basic introductory two day training regarding the team approach to collaborative cases involving mental health professionals, certified public accountants, certified valuation analyst and other professionals that may be necessary to find a solution to the parties legal problems. Any introductory course offered by the Collaborative Professional Group of Louisiana, Inc., is approved.</p>
24 th J.D.C.	Jefferson Parish	<p>Collaborative Divorce Procedures</p> <ol style="list-style-type: none"> 1. Pursuant to a written agreement of the parties and their attorneys, a domestic proceeding may be conducted under collaborative procedures. 2. Collaborative procedure requires the parties and their collaborative professionals to agree in writing to use their best efforts in good faith to resolve a domestic dispute without resorting to judicial intervention except to file the case, file the collaborative representation agreement, stipulations, settlement agreement, have the court approve the settlement agreement, make the legal pronouncements, and sign the orders required by law to effectuate the agreement of the parties as the court determines appropriate.

		<p>The parties' counsel may not serve as litigation counsel except to file the case, file the collaborative representation agreement, file stipulations, file the collaborative settlement agreement and to ask the court to approve the collaborative settlement agreement.</p> <p>A multidisciplinary collaborative team model includes provisions for the following mandatory collaboratively trained professionals: an attorney for each party, a mental health professional "coach" for each party, a financial expert and a child's mental health professional.</p> <p>A non-multidisciplinary collaborative team model includes provisions for a collaboratively trained attorney for each party, and other professionals as can be agreed upon by the parties and their counsel.</p> <p>3. Upon filing an approved agreement to use collaborative procedures, all local rules of case management are suspended for the duration of the collaborative process.</p> <p>4. An agreement to use collaborative procedures must include provisions:</p> <ul style="list-style-type: none">a) for a binding non-participation agreement excluding the participating collaborative professionals from any further non-collaborative domestic representation upon termination of the collaborative proceeding; andb) for an agreement for full and candid exchange of information between the parties, their attorneys, and all other collaborative professionals as necessary to reach a proper evaluation and settlement of the case; andc) for an agreement to suspend court intervention in the dispute and the application of otherwise applicable court rules while the parties are using collaborative procedures; andd) for hiring experts, as jointly agreed, to be used for the benefit of the parties; ande) for withdrawal of all counsel involved in the case if the parties are unable to settle the dispute through the collaborative process; andf) for withdrawal of all collaborative professionals involved in the case and an agreement that they and their work product shall be exempt from subpoena
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		<p>if the parties are unable to settle the dispute through the collaborative process; and</p> <ul style="list-style-type: none">g) that anything said or any admission made for the purpose of, in the course of, or pursuant to the collaborative process is not admissible nor subject to discovery, and disclosure of the statement or admission must not be compelled in any non-criminal proceeding; andh) that no writing prepared for the purpose of, in the course of, or pursuant to, the collaborative process is admissible to discovery, and disclosure of the writing must not be compelled in any non-criminal proceeding, except in cases where both of the parties agree to stipulate to final reports being introduced; andi) that all collaborative professionals have received a minimum of two days of multidisciplinary collaborative training prior to participating in the collaborative procedure; andj) for any other provisions as agreed to by the parties consistent with a good faith effort to collaboratively settle the matter. <p>5. If the parties have agreed to utilize a multidisciplinary collaborative team model, the agreement must include provisions for a multidisciplinary team-based approach which includes an attorney for each party, a mental health professional "coach" for each party, a financial expert and a child's mental health professional.</p> <p>6. Notwithstanding any domestic rule or law, a party is entitled to judgment on a collaborative settlement agreement if the agreement meets all statutory requirements of notice, due process and time delays, and is accompanied by a joint stipulation of fact signed by both parties and a consent judgment approved as to form and content by both parties and their counsel.</p> <p>7. Upon filing of an approved agreement to use collaborative procedures and during the pendency of the collaborative process, the court agrees not to:</p> <ul style="list-style-type: none">a) set a hearing or trial in the case;b) impose discovery deadlines;c) require compliance with scheduling orders; or
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		<p>d) dismiss the case.</p> <p>8. The parties shall notify the court at such time as the collaborative procedures result in a settlement or withdraws from the collaborative process. If settlement is reached, the court will execute all proper orders and judgments presented. If the case withdraws from the collaborative process, the case will be placed on the regular docket subject to all local rules and management.</p>
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APPENDIX 32.0A: COURTS AUTHORIZING AND DIRECTING COURT-APPOINTED HEARING OFFICERS, COMMISSIONERS, AND/OR MAGISTRATES PURSUANT TO LA. R.S. 46:236.5

COURT	PARISH(ES)	MAJOR CITIES	HEARING OFFICERS	COURTHOUSE ADDRESS	WORK PHONE	NON-SUPPORT	PROTECTIVE ORDERS	HO SIGNS TRO	HEARING OFFICER CONFERENCES FOR DIVORCE, CUSTODY, SUPPORT, ETC.	PARTITIONS
Caddo Juvenile	Caddo	Shreveport	A. Michelle Perkins	Caddo Parish Juvenile Court 1835 Spring Street Shreveport, LA 71101-4298	318-226-6756 318-226-6942 (F)	Yes	Yes	Yes	No	No
			Homer Ted Cox III		318-226-6758 318-226-6942 (F)	Yes	Yes		No	No
1st JDC	Caddo	Shreveport	Lesa Henderson	Caddo Parish Courthouse 501 Texas Street Shreveport, LA 71101	318-226-6821 318-226-6840(F)	Yes	No	N/A	No	No
2nd JDC	Claiborne, Bienville, Jackson	Homer, Arcadia, Jonesboro	Lesa Henderson	2nd JDC P.O. Box 1598 Ruston, LA 71273-0388	318-513-6243 318-513-6236(F)	Yes	Yes	No	No	No
3rd JDC	Lincoln, Union	Ruston, Farmerville	Lesa Henderson	Lincoln Parish Courthouse 100 West Texas Avenue Ruston, LA 71270-4474	318-513-6243 318-513-6236(F)	Yes	Yes	No	No	Yes
4th JDC	Ouachita, Morehouse	Monroe, Bastrop	Lisa Sullivan	Ouachita Parish Courthouse 300 St. John Street Fourth Floor Monroe, LA 71201	318-361-2250	Yes	Yes	No	Yes	Yes
			Charles A. Traylor III		318-361-2250	Yes	Yes		Yes	Yes
			Vicki L. Green		318-361-2250	Yes	Yes		Yes	Yes
5th JDC	Richland, Franklin, West Carroll	Rayville, Winnsboro, Oak Grove	Kay S. Rector	Richland Parish Courthouse 100 Julia Street Rayville, 71269	318-728-9699 318-728-9609(F)	Yes	Yes	No	Yes	Yes
6th JDC	East Carroll, Madison, Tensas	Lake Providence, Talullah, St. John	George F. Fox, Jr.	East Carroll Parish Courthouse 106 Hood Street Lake Providence, LA 71254	318-559-2608 318-559-2992(F)	Yes	No	N/A	No	No
7th JDC	Catahoula, Concordia	Vidalia, Harrisonburg	NONE							
8th JDC	Winn	Winnfield	Martin Sanders III	Winn Parish Courthouse 119 West Main Street Winnfield, LA 71483	318-628-4596 318-628-2753(F)	Yes	NO	N/A	NO	NO

APPENDIX 32.0A: COURTS AUTHORIZING AND DIRECTING COURT-APPOINTED HEARING OFFICERS, COMMISSIONERS, AND/OR MAGISTRATES PURSUANT TO LA. R.S. 46:236.5

COURT	PARISH(ES)	MAJOR CITIES	HEARING OFFICERS	COURTHOUSE ADDRESS	WORK PHONE	NON-SUPPORT	PROTECTIVE ORDERS	HO SIGNS TRO	HEARING OFFICER CONFERENCES FOR DIVORCE, CUSTODY, SUPPORT, ETC.	PARTITIONS
9th JDC	Rapides	Alexandria	R. Preston Mansour, Jr., Esq.	Rapides Parish Courthouse 701 Murray Street 1st Floor Alexandria, LA 71309-8099	318-443-6893 318-473-6684(F)	Yes	Yes	Yes	No	No
10th JDC	Natchitoches	Nachitoches	Lesa Henderson	Natchitoches Parish Courthouse 200 Church Street Natchitoches, LA 71457	318-357-2209 318-238-1166(F)	Yes	Yes	No	No	No
11th JDC	Sabine	Many	K. Jacob Ruppert	Sabine Parish Courthouse 400 S. Capitol Street Room 204 Many, LA 71449	318-256-9789 318-256-8886(F)	Yes	Yes	No	Yes	Yes
12th JDC			NONE							
13th JDC	Evangeline	Ville Platte	NONE							
14th JDC	Calcasieu	Lake Charles	Dean J. Manning Stephanie L. Cochran	Calcasieu Parish Judicial Center 1001 Lakeshore Drive Lake Charles, LA 70601	337-437-3363 337-437-3390(F)	Yes Yes	No No	N/A	Yes Yes	Yes Yes

APPENDIX 32.0A: COURTS AUTHORIZING AND DIRECTING COURT-APPOINTED HEARING OFFICERS, COMMISSIONERS, AND/OR MAGISTRATES PURSUANT TO LA. R.S. 46:236.5

COURT	PARISH(ES)	MAJOR CITIES	HEARING OFFICERS	COURTHOUSE ADDRESS	WORK PHONE	NON-SUPPORT	PROTECTIVE ORDERS	HO SIGNS TRO	HEARING OFFICER CONFERENCES FOR DIVORCE, CUSTODY, SUPPORT, ETC.	PARTITIONS
15th JDC	Acadia, Lafayette, Vermilion	Crowley, Lafayette, Abbeville	Dennis R. Bundick	Lafayette Parish Courthouse 800 South Buchanan Street Lafayette, LA 70501	337-269-5755 337-269-5737(F)	Yes	Yes	No	Yes	Yes
			Gale J. Luquette	Vermilion Parish Courthouse 100 N. State Street Abbeville LA 70510	337-898-4315 337-898-9293(F)				Yes	Yes
			Vanessa Randall	Lafayette Parish Courthouse 800 South Buchanan Street Lafayette, LA 70501	337-269-5755 337-269-5737(F)	Yes			Yes	Yes
			Shawn M. Eller	Lafayette Parish Courthouse 800 South Buchanan Street Lafayette, LA 70501	337-269-5755 337-269-5737(F)	No	Yes	No	Yes	No
16th JDC	St. Martin, St. Mary, Iberia	St. Martinville, Franklin, New Iberia	Jill DeCourt	St. Mary Parish Courthouse 500 Main Street Suite 601 Franklin, LA 70538	337-828-4100, Ext. 601 337-413-0850(F)	Yes	Yes	No	Yes	Yes
			Paul A. Landry	Iberia Parish Courthouse 300 S. Iberia Street Suite 220 New Iberia, LA 70560-4543	337-369-4497 337-369-4499(F)	Yes	Yes	No	Yes	Yes
			Maggie Trahan Simar	St. Martin Parish Courthouse 415 South Main Street St. Martinville, LA 70582-4599	337-394-6133 x2600 337-394-6166(F)	Yes	Yes	No	Yes	Yes
17th JDC	Lafourche	Thibodaux	NONE							
18th JDC	Pointe Coupee, West Baton Rouge, Iberville	Plaquemine, Port Allen, New Roads	Paula Hartley Clayton	18th JDC 750 Louisiana Avenue Suite H Port Allen, LA 70767	225-344-1988 225-344-1775(F)	Yes	Yes	Yes	Yes	Yes
19th JDC	East Baton Rouge	Baton Rouge	NONE							

APPENDIX 32.0A: COURTS AUTHORIZING AND DIRECTING COURT-APPOINTED HEARING OFFICERS, COMMISSIONERS, AND/OR MAGISTRATES PURSUANT TO LA. R.S. 46:236.5

COURT	PARISH(ES)	MAJOR CITIES	HEARING OFFICERS	COURTHOUSE ADDRESS	WORK PHONE	NON-SUPPORT	PROTECTIVE ORDERS	HO SIGNS TRO	HEARING OFFICER CONFERENCES FOR DIVORCE, CUSTODY, SUPPORT, ETC.	PARTITIONS
EAST BATON ROUGE FAMILY COURT	East Baton Rouge	Baton Rouge	NONE							
20th JDC	East Feliciana, West Feliciana	Clinton, St. Francisville	NONE							
21st JDC	St. Helena, Livingston, Tangipahoa	Greensburg, Livingston, Amite	Carolyn Ott Erika Williams Sledge	Tangipahoa Parish Courthouse 110 North Bay Street Amite, LA 70422	985-748-9445 985-748-6637(F)	Yes Yes	Yes Yes	No No	Yes Yes	Yes Yes
22nd JDC	St. Tammany, Washington	Covington, Franklinton	Rebecca Kennedy Grace Phyllis Gremillion Lisa C. Matthews Jill Leber Dan Foil (Criminal Commissioner) Amber Mitchell (Staff Attorney and substitute HO) Patti Oppenheim (Staff Attorney and substitute HO)	St. Tammany Parish Courthouse 701 N. Columbia Street Room 3066 Covington, LA 70433	985-809-5306 985-809-5306 985-809-5306 985-809-5306 985-809-5380 985-809-5420 985-809-5411	Yes No No No No Sometimes Sometimes	No No No No Yes No No		No Yes Yes Yes No Sometimes Yes	No Yes Yes Yes No Sometimes Yes

APPENDIX 32.0A: COURTS AUTHORIZING AND DIRECTING COURT-APPOINTED HEARING OFFICERS, COMMISSIONERS, AND/OR MAGISTRATES PURSUANT TO LA. R.S. 46:236.5

COURT	PARISH(ES)	MAJOR CITIES	HEARING OFFICERS	COURTHOUSE ADDRESS	WORK PHONE	NON-SUPPORT	PROTECTIVE ORDERS	HO SIGNS TRO	HEARING OFFICER CONFERENCES FOR DIVORCE, CUSTODY, SUPPORT, ETC.	PARTITIONS
23rd JDC	Ascension, Assumption, St James	Donaldsonville, Napoleonville, Convent	Patricia H. Douglas	23rd JDC Division A 828 South Irma Boulevard Building 2 Gonzales, LA 70737	225-621-8500 225-644-6006(F)	Yes	Yes	Yes	No	No
Jefferson Parish Juvenile	Jefferson	Gretna	Felicia Higgins	Jefferson Parish Juvenile Court P.O. Box 1900 Harvey, LA 70059-1900	504-367-3500 504-361-8033(F)	Yes	No		No	No
			Ashley Amato	Jefferson Parish Juvenile Court P. O. Box 1900 Harvey, LA 70059-1900	504-367-3500 504-361-8033(F)	Yes	No		No	No
24th JDC	Jefferson		Patricia M. Joyce (Domestic Commissioner for family and criminal law matters)	200 Derbigny Street Suite 1500 Gretna, LA 70053	504-364-3927	No	Yes		Yes	Yes
			Rubin J. Bailey (Domestic Commissioner for family law matters)	200 Derbigny Street Suite 1400 Gretna, LA 70053	504-364-3745	No	Yes		Yes	Yes
			Paul H. Schneider (Domestic Commissioner for criminal law matters only)	200 Derbigny Street Suite 1500 Gretna, LA 70053	504-364-3927	No	Yes		No	No
			Carol Accardo	P. O. Box 448 Gretna, LA 70054-0448	NONE	No	No		Yes	Yes
			Paul Fiasconaro			No	No		Yes	Yes
			Paul Weidig			No	No		Yes	Yes
			Karl M. Hanson			No	No	No	Yes	Yes
25th JDC	Plaquemines	Belle Chasse	NONE							
26th JDC	Webster, Bossier	Minden, Bossier City	Judge Bruce Bolin (Ret.)	Bossier Parish Courthouse 204 Burt Boulevard Benton, LA 71006	318-371-1311 318-337-0389(F)	Yes	No	N/A	No	No

APPENDIX 32.0A: COURTS AUTHORIZING AND DIRECTING COURT-APPOINTED HEARING OFFICERS, COMMISSIONERS, AND/OR MAGISTRATES PURSUANT TO LA. R.S. 46:236.5

COURT	PARISH(ES)	MAJOR CITIES	HEARING OFFICERS	COURTHOUSE ADDRESS	WORK PHONE	NON-SUPPORT	PROTECTIVE ORDERS	HO SIGNS TRO	HEARING OFFICER CONFERENCES FOR DIVORCE, CUSTODY, SUPPORT, ETC.	PARTITIONS
27th JDC	St. Landry	Opelousas	Josie Frank Gregory J. Doucet	St. Landry Parish Courthouse 118 S. Court Street Opelousas, LA 70570	337-942-4747 337-942-4885(F)	Yes	Yes	N/A	Yes	Yes
28th JDC	LaSalle	Jena	NONE							
29th JDC	St. Charles	Hahnville	NONE							
30th JDC	Vernon	Leesville	NONE							
31st JDC	Jefferson Davis	Jennings	NONE							
32nd JDC	Terrebonne	Houma	William Dunckelman	Terrebonne Parish Courthouse 7856 Main Street Suite 100A Courthouse Annex Houma, LA 70360	985-580-8120	Yes	No	N/A	No	No
33rd JDC	Allen	Oberlin	NONE							
34th JDC	St. Bernard	Chalmette	NONE							
35th	Grant	Colfax	Viginia Wolfe Brown	Grant Parish Courthouse 200 Main Street Colfax, LA 71417	318-627-3244 318-627-2839(F)	Yes	No	N/A	No	No
36th	Beauregard	DeRidder	Jackie Heinen	Beauregard Parish Courthouse 201 West Main Street DeRidder, LA 70634	337-463-7993 337-463-9244(F)					
37th	Caldwell	Columbia	Sadye Bernheim	Caldwell Parish Courthouse 201 Main Street Columbia, LA 71418	318-387-4805	Yes	No	N/A	No	No
38th	Cameron	Cameron	NONE							
39th	Red River	Coushatta	NONE							
40th	St. John the Baptist	Edgard	NONE							

APPENDIX 32.0B: COURT-SPECIFIC RULES ON HEARING OFFICERS AND DOMESTIC COMMISSIONERS

First Judicial District Court (Caddo Parish)	<p>A. Pursuant to R.S. 46:236.5, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing one or more hearing officers, appointed by majority vote of the entire Court, to hear support and support related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court. The entire Court, by majority vote, shall fix the salary or salaries of the hearing officer(s) and any such other personnel hired and employed to implement this procedure.</p> <p>B. Such hearing officer(s) shall have authority to perform and shall perform any and all duties assigned to the officer by a judge designated by the Court which are consistent with R.S. 46:236.5 as it presently exists or as supplemented or amended in the future.</p> <p>C. The hearing officer shall act as a finder of fact and shall make recommendations to the Court concerning the following matters:</p> <p>(1) The establishment and modification of child support in Title IV-D AFDC cases as well as the method of collection of same.</p> <p>(2) Contested and uncontested paternity cases in which an action was brought by the State of Louisiana on behalf of or in the interest of any mother who is the recipient of state Aid to Families with Dependent Children or who is otherwise eligible under state law for such services.</p> <p>D. At the conclusion of the hearing, the hearing officer shall render a written recommendation to the Court as provided for by R.S. 46:236.5(C)(5). Counsel for the State of Louisiana, Department of Social Services, shall provide at the time of the hearing a proposed judgment.</p> <p>Should the hearing officer make recommendations as to factual findings and conclusions of law that are inconsistent with the proposed judgment tendered by counsel at the time of the hearing, then counsel for the Department of Social Services shall promptly prepare and tender to the hearing officer a proposed judgment consistent with the hearing officer's recommendations. The written recommendation of the hearing officer shall be filed in the suit record subsequent to the hearing.</p> <p>E. Any party to the proceedings may file an exception to the findings of fact or law of the hearing officer within the delays set forth by District Court Rules 33.0, 34.2, and 35.5. The period referred to herein shall commence running at 5:00 p.m. on the date of the hearing and shall exclude Saturday, Sunday, and other legal holidays.</p> <p>F. Should any party file an exception to the findings of the hearing officer, the Court shall schedule a contradictory hearing before a judge for the taking of additional evidence if in the Court's discretion it is determined that additional information is needed. If no exception to the hearing officer's recommendations is timely filed, an Order shall be signed by the judge, which shall be a final judgment and be appealable to the Court of Appeal.</p> <p>G. In all Title IV-D AFDC (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 (target date), 20____. On or after (target date), 20____, all such obligors or payors shall make any and all such payments for support, including the additional five (5%) percent amount, payable to the "First JDC-CS Fund." Such payments shall be made only by money order or certified check and shall either be delivered directly to the Court Administrator's representative at the Courthouse in Shreveport, Louisiana, or mailed to: First JDC-CS Fund, 501 Texas, Room 103, Shreveport,</p>
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	<p>Louisiana 71101.</p> <p>H. In all Title IV-D AFDC cases presently pending and arising in the future, a one-time fee in the amount of \$25.00 shall be assessed as provided for by R.S. 46:236.5(B)(2). The fees generated as a result of this assessment shall be utilized to fund the expenses of the Caddo Parish Indigent Defender Board in connection with court-appointed representation of individuals ordered to pay child support as provided for herein.</p> <p>I. Child support funds collected in the manner described herein will be forwarded to the Department of Social Services, within the delays provided by law, after first deducting the five (5%) percent administrative fee authorized by R.S. 46:236.5(B)(1); the \$25.00 assessment authorized by R.S. 46:236.5(B)(2), and any outstanding court costs due the Clerk of Court as provided for by R.S. 13:4521(B).</p>
<p>Second Judicial District Court (Bienville, Claiborne, and Jackson Parishes)</p>	<p>A. HEARING OFFICER, RELATED PERSONNEL AND PROCEDURES RELATIVE TO EXPEDITED PROCESS FOR THE ESTABLISHMENT, MODIFICATION AND ENFORCEMENT OF SUPPORT OBLIGATIONS</p> <p>1. Pursuant to LSA-R.S. 46:236.5, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing one or more Hearing Officers, appointed by majority vote of the entire Court, to hear support and support related matters, and to hire and employ any and all such other personnel, agency or agencies deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.</p> <p>2. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law in the Second Judicial District.</p> <p>3(a). The District Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the making of a motion of appeal by either party. Such motion shall be in writing and shall be filed with the Clerk of Court within three (3) clear judicial days from the date of the hearing. Upon the filing of the motion, the Court shall schedule a contradictory hearing to be held before the Judge, who shall accept, reject or modify in whole or in part the findings of the Hearing Officer. If the judge in his discretion determines that additional information is needed, he may receive evidence at the hearing or remand the proceeding to the Hearing Officer. If no request for a hearing before a Judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal.</p> <p>3(b). The Second Judicial District Attorney is authorized to develop the necessary forms for parties wishing to file a written motion requesting such a hearing before the District Judge and to provide those forms to such parties.</p> <p>4. The entire Court, by majority vote, shall fix the salary of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.</p> <p>5. In all Social Security Act Title IV-D (Aid for Dependent Children and Non Aid for Dependent Children) 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 per cent (5%) beginning June 1, 1992. On or after that date, all such obligors or payors shall make any and all such payments for support, including the additional five per cent (5%) amount, payable to the "Child Support Fund." Such payments shall be made only by money order or cashier's check and shall be mailed to the following listed address for the Parish in which the payor's support case is filed.</p> <p>Bienville Parish address: Child Support Fund 601 Locust, Room 101 Arcadia, Louisiana 71001</p>

	<p>Claiborne Parish address: Child Support Fund P.O. Box 66 Homer, Louisiana 71040</p> <p>Jackson Parish address: Child Support Fund P.O. Box 397 Jonesboro, Louisiana 71251</p> <p>6. Effective January 1, 1993, the following dates shall be fixed for the hearing of non-support and related matters pursuant to LSA R.S. 46:236.5, including the entry of preliminary defaults relating to such matters:</p> <p>Jackson Parish -- the first Friday of each month at 9:30 A.M. Bienville Parish -- the second Friday of each month at 9:30 A.M. Claiborne Parish -- the third Friday of each month at 9:30 A.M.</p> <p>Should it become necessary to make a temporary change or adjustment to the foregoing schedule, such change or adjustment shall be made by special order of the Court.</p> <p>B. DOMESTIC ABUSE PETITIONS AND USE OF HEARING OFFICERS</p> <p>1. Pursuant to LSA R.S. 46:2135(I), all initial rules to show cause why a protective order should not issue shall be heard by a Hearing Officer, appointed in accordance with the procedures provided in LSA R.S. 46:236.5 and Local Rule 29, and subject to the following procedures.</p> <p>2. Upon the filing of any petition alleging domestic abuse under Title 46 of the Louisiana Revised Statutes, the Clerk of Court shall refer the petition to the duty judge for the purpose of reviewing the petition and granting or denying a temporary restraining order. Upon the granting of a temporary restraining order, the matter shall be fixed for hearing before the Hearing Officer on the next available date currently designated as child support court in each respective parish. Hearings shall be scheduled at 1:00 p.m. on that date.</p> <p>3. The Hearing Officer shall take testimony, make findings of fact and a recommendation to the District Court. If no appeal is requested, the District Judge shall approve and sign the appropriate Uniform Abuse Prevention Order and forward it to the Clerk of Court without delay. The Clerk of Court shall transmit the Uniform Abuse Prevention Order to the central registry by facsimile transmission as expeditiously as possible, but no later than the end of the next business day after the order is filed with the Clerk of Court.</p> <p>4. Should any party request an appeal to the District Court, such appeal must be perfected according to the procedures set forth in this Appendix, and the parties shall be directed to the District Judge, where the appeal shall be heard as expeditiously as possible but no later than the next regularly scheduled civil motion day following the request for an appeal.</p>
Third Judicial District Court	A. Pursuant to LSA-R.S. 46:236.5 this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing

<p>(Lincoln and Union Parishes)</p>	<p>one or more Hearing Officers, appointed by majority vote of the Court, to hear support and support related matter, including contested and uncontested paternity cases, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure on the Court.</p> <p>B. Such Hearing Officer shall be an attorney who has been in good standing with any state bar association for not less than five years and has experience in cases involving child support services. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her or them by a Judge designated by the Court which are consistent with LSA-R.S. 46:236.5 as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law in Lincoln or Union Parishes.</p> <p>C. The Court shall hold a contradictory hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed within three (3) days from the date of the hearing. If no request for a hearing before a Judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal. The contradictory hearing shall be held before the judge who shall accept, reject, or modify in whole or in part the findings of the Hearing Officer. If the Judge determines that additional information is needed, he may receive evidence at the hearing or remand the proceeding to the Hearing Officer.</p> <p>D. The entire Court, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.</p> <p>E. 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 September 1, 1992. On or after September 1, all such obligors or payors shall make any and all such payments for support, including the additional five (5%) percent amount. Such payments shall be made only by money order or certified check made payable to State of Louisiana, Department of Social Services, P.O. Box 3144, Monroe, Louisiana, 71210-3144.</p>
<p>Fourth Judicial District Court (Morehouse and Ouachita Parishes)</p>	<p style="text-align: center;">USE OF HEARING OFFICERS</p> <p>A. Appointment of Hearing Officers</p> <p>1. Pursuant to LSA-R.S. 46:236.5 and applicable articles of the Louisiana Civil Code and Louisiana Children's Code, and in furtherance of Rules 22 through 34, supra, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations and all other family and domestic proceedings as defined by LSA R.S. 46:236.5, by authorizing and directing one or more Hearing Officers, appointed by majority vote of the entire Court, to hear said family and domestic proceedings and to hire and employ any and all such other personnel deemed necessary to implement this procedure; all of whom shall serve at the pleasure of the Court.</p> <p>2. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her, or them by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 as they presently exist, or as they may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law within the 4th Judicial District. Said Hearing Officer(s) shall avoid any appearance of impropriety.</p> <p>3. There shall be such number of Hearing Officers for Family Docket cases as authorized by a majority of the District Judges. The Hearing Officers shall be known as "Hearing Officer A," "Hearing Officer B," and so on.</p>

4. The District Judges, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired or employed to implement the procedure.

B. Scheduling of Hearing Officer Conference

1. All initial pleadings on the Family Docket, if requesting a rule/hearing date, shall be accompanied by a Return Date/Hearing Cover Sheet (Pink Slip), which may be found at <http://www.4jdc.com/familycourt.htm>.

2. After filing initial pleadings on the Family Docket, all parties will be required to attend a Hearing Officer Conference with a Hearing Officer unless waived by the assigned judge and to provide documentation to the Hearing Officer and the other party in accordance with any order(s) issued by the court. The assigned civil section judge shall issue or cause to be issued an original Appendix 23.0D *Hearing Officer Conference and Information Order* and provide same to the appropriate individual in the office of the Clerk of Court to prepare certified copies for service on the parties.

3. The initial Hearing Officer Conference will, to the extent feasible, be scheduled within twenty-eight (28) days following the rendition of the order scheduling a court hearing on the issues which should be considered in a Hearing Officer Conference. All parties shall be required to submit to the Hearing Officer, and other party/parties a completed Appendix 23.0B *Family Law Affidavit*, together with all documentation ordered by the Appendix 23.0D *Hearing Officer Conference and Information Order*, not less than five (5) days, exclusive of weekends and legal holidays prior to the Hearing Officer Conference. The Hearing Officer may permit a party to submit the Hearing Officer Conference Affidavit and its attachments later than five (5) days prior to the Hearing Officer Conference upon a showing of unusual and exceptional circumstances. If the Hearing Officer does not find that unusual and exceptional circumstances exist to excuse a late or substantively deficient filing, the Hearing Officer shall have discretion to (1) render a Hearing Officer Conference Report based on the information provided by the other party, or (2) issue such other relief as is appropriate under the circumstances, including issuing interim orders and/or refixing the Conference and scheduled court date, and contemporaneously taxing the deficient filing party with court costs and attorney fees.

4. If there are complicated or extraordinary issues which will require a Hearing Officer Conference which is longer than 90 minutes (or a half-day for community property conferences), the parties shall notify the Hearing Officer of this fact at the time the initial pleading is filed. Thereafter, the Hearing Officer may schedule a longer Hearing Officer Conference to accommodate the issues of the case.

5. If there exists a situation of immediate danger, the Hearing Officer Conference may be scheduled at an earlier date at the request of any party, or may, in the discretion of the Court, bypass the Hearing Officer Conference to accommodate the issues of the case.

6. If counsel has an unavoidable scheduling conflict that would prevent counsel from attending the Hearing Officer Conference as scheduled, counsel shall immediately contact opposing counsel and the Hearing Officer by telephone conference call regarding rescheduling within fifteen (15) days. If counsel are unable to agree on a continuance, the Hearing Officer will decide whether a continuance is warranted. The court expects counsel to be mindful of the Louisiana Code of Professionalism which states that counsel will consult with each other whenever scheduling procedures are required and will be cooperative in scheduling discovery, hearings, the testimony of witnesses and in the handling of the entire course of any legal matter.

C. Purpose of Hearing Officer Conference

At the Hearing Officer Conference, counsel and the parties in attendance shall make a good faith

effort to narrow the issues, reach joint stipulations to dispose of uncontested matters, discuss and attempt to resolve any matters concerning the authenticity or admissibility of exhibits produced in response to discovery, and attempt a settlement of the matter.

D. Hearing Officer Conference Order and Affidavit - Failure to Comply

If one party does not provide the necessary information required by the Hearing Officer Conference Order or Affidavit for the Hearing Officer to make a determination as to the issues before the Court, then the Hearing Officer will have the discretion to (1) render a Hearing Officer Conference Report based on the information provided by the other party, or (2) such other relief as is appropriate under the circumstances, including issuing interim orders and/or refixing the Conference and scheduled Court date, and contemporaneously taxing the deficient-filing party with court costs and attorney fees.

E. Hearing Officer Conference Report

At the Hearing Officer Conference, the Hearing Officer will also prepare a written Hearing Officer Conference Report in compliance with 4th JDC Family Docket Form 3.0 or a substantially similar form, which includes a summary of the disputed and undisputed facts and circumstances underlying the issues before the Court, and provides specific recommendations to the Court, including, within the discretion of the Hearing Officer, a recommendation that an issue should be deferred to the presiding judge. The Hearing Officer Conference Report shall indicate the parties and legal counsel in attendance, and shall further note the failure to appear or to remain for the duration of the Hearing Officer Conference by any party or legal counsel.

F. Agreements and Stipulations at Hearing Officer Conference

If both parties agree on some or all of the issues before the Court during the Hearing Officer Conference, the Hearing Officer shall prepare a written agreement for the review and execution of the parties and their legal counsel (if represented), together with an appropriate judgment or order incorporating and implementing the agreement of the parties. Any such agreement shall contain an acknowledgment that no objection or appeal may be filed to same. In the event the agreement is only a partial agreement, the Hearing Officer shall prepare a Hearing Officer Conference Report containing a summary of disputed and undisputed facts and a list of recommendations on those issues on which there is no agreement.

G. Objections to Hearing Officer Conference Report

1. After the Hearing Officer issues the written Hearing Officer Conference Report, the parties will have three (3) days, exclusive of weekends and holidays, from the date of the rendition of said Report, to a written objection with the office of the Clerk of Court for the parish in which the case is pending. A party's objection shall be directed to specific recommendations and shall provide legal and/or factual basis for the objection.

2. A party filing an objection shall be obligated to provide the Hearing Officer and all parties with a copy of the objection. The objecting party shall provide a copy of the objection to all parties at the same time and in the same manner in which said objection was delivered to the Clerk of Court, or in a manner which is the functional equivalent thereof. Thus, if an objection is hand delivered to the Clerk of Court, all parties are entitled to receive a copy of same at the same time or earlier by hand delivery or its functional equivalent, such as by facsimile transmission.

3. If one party files an objection on the last day on which an objection may be filed, and the other party has not yet filed an objection, the party which did not file an objection within the time limit allowed shall have three (3) additional days, exclusive of weekends and legal holidays, within which to file a written objection. This shall not be construed to allow a party which has already filed an objection to amend or supplement the objection which has been filed.

4. Any objection not timely filed in accordance with the above provisions shall be subject to ex parte dismissal by the court, on the court's own motion.

5. If a party files a written objection, said party must also provide to opposing counsel the name, address, and telephone number of each witness who may be called at the hearing held in regard to the objection, and must provide to opposing counsel a copy of each exhibit that might be introduced at said hearing, all within five (5) days after filing the written objection, exclusive of weekends and legal holidays. The opposing party must provide that same information within five (5) days, exclusive of weekends and legal holidays, of the receipt of the witness and exhibit lists from the objecting party. No witness may testify at the hearing and no written document may be introduced at the hearing unless there has been compliance with these disclosure requirements, unless the court finds good cause for the noncompliance with the disclosure requirements and the presentation of such evidence is required to prevent manifest injustice.

6. A party who, after having been duly cited and served with process, fails to appear or remain for the duration of a Hearing Officer Conference waives the right to file an objection to the recommendations contained in the Hearing Officer Conference Report, unless the Hearing Officer has excused the failure to appear or to remain for the duration of the Hearing Officer Conference.

H. Abandonment of Hearing Officer Conference Objections

1. Upon the filing of any objections, if no trial or hearing date is pending, or the case is thereafter continued without date, it shall be the responsibility of the objecting party or parties to file an appropriate pleading requesting a trial or hearing date with the assigned judge no later than 90 days after filing of the objections or the continuance of the case without date, or the objections will be deemed abandoned and will be dismissed without prejudice (Cf. L.C.C.P. Art. 561) and the report and recommendations of the hearing officer will be adopted as the judgment of the court.

2. If the trial or hearing is thereafter continued, it must be continued to a date certain, and may not be continued without date except for good cause shown as determined by the assigned judge.

I. Adoption of Hearing Officer Recommendations without Objection

1. If all or part of the recommendations contained in the Hearing Officer Conference Report are not objected to in writing with the Clerk of Court within the delays provided in these rules, then those recommendations contained in the Hearing Officer Conference Report which are not objected to may be adopted by the Court.

2. The Hearing Officer shall be responsible for submitting an appropriate judgment or order which accurately incorporates the recommendations into the form of a judgment or order, and shall attach a copy of the Hearing Officer Conference Report to the proposed judgment or order.

J. Adoption of Hearing Officer Recommendations as Interim Order after Objection

If any recommendation of the Hearing Officer in the Hearing Officer Conference Report is objected to as provided by these rules, then the recommendation may become an interim order, upon approval and execution of the presiding Judge, pending the final disposition of the claims by the Court. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. It shall be the responsibility of the Hearing Officer to prepare the appropriate judgment or order for presentation to the presiding Judge for approval and execution, using 4th JDC Family Docket Form 10.0 or a substantially equivalent form.

K. Adoption of Hearing Officer Recommendations upon Failure to Appear at Trial

If there are no appearances by the objecting parties on the day on which the matter is scheduled for trial, then the assigned civil section judge may, in his discretion, adopt some or all of the recommendations of the Hearing Officer, using 4th JDC Family Docket Form 11.0 or a substantially equivalent form.

L. Specific Procedures for Custody and Visitation at Hearing Officer Conference

At the time of the Hearing Officer Conference, the parties or their respective counsel shall have an opportunity to provide a verbal statement of their positions to the Hearing Officer with regard to the custody and/or visitation issues before the Court. If the parties do agree to custody and visitation, the Hearing Officer will prepare a written stipulation and consent judgment for signature by the parties. If the parties do not agree to custody and/or visitation, the Hearing Officer will render a Hearing Officer Conference Report summarizing the disputed and undisputed facts presented at the Conference, and making appropriate recommendations for a resolution of the issues, including, but not limited to, mediation, custody evaluation(s) by a mental health professional, and alcohol or drug testing.

M. Mediation of Custody and Visitation

In the event the Hearing Officer believes the matter is appropriate for mediation, a recommendation to that effect shall be included in the Hearing Officer Conference Report, including recommendations regarding the time within which to comply with any order implementing the recommendation and the manner in which the costs of said mediation should be paid by the parties. The Hearing Officer may, but is not required to, include a recommendation of a specific mediator to perform the mediation. The Hearing Officer shall prepare an Order of Mediation at the time of the Hearing Officer Conference, in substantial compliance with 4th JDC Family Docket Form 6.0 for the review and consideration of the assigned civil judge.

N. Custody Evaluation by a Mental Health Professional

In the event the Hearing Officer believes the matter is appropriate for an evaluation by a mental health professional, a recommendation to that effect shall be included in the Hearing Officer Conference Report, including recommendations regarding the time within which to comply with any order implementing the recommendation and the manner in which the costs of said evaluation should be advanced by the parties. The parties shall either agree to a particular professional, or the Hearing Officer shall select one from a rotating list of competent mental health professionals. The Hearing Officer shall also prepare an Order for Custody Evaluation at the time of the Hearing Officer Conference, in substantial compliance with 4th JDC Family Docket Form 7.0 for the review and consideration of the assigned civil Judge. The Hearing Officer shall also instruct that a certified copy of the order be sent to the mental health professional by the Clerk of Court.

O. Alcohol and Drug Testing

In the event that the parties agree to drug or alcohol testing, the Hearing Officer shall immediately prepare an appropriate order using 4th JDC Family Docket Form 8.0 or a substantially equivalent form. If one party requests testing but the other party does not consent, the Hearing Officer shall schedule a Rule to Show Cause Why Drug/Alcohol Testing should not be ordered. The Rule shall be heard by the Hearing Officer on the next available date that the Hearing Officer will be on the bench. At the conclusion of the evidence, the Hearing Officer shall issue Written Findings of Fact and Recommendations regarding alcohol and drug testing.

P. Specific Procedures for Partition of Community Property

1. At or about twenty-eight (28) days prior to any partition trial on the merits, counsel and the parties shall attend a Hearing Officer Conference (unless waived by the judge) to discuss the nature and basis of their claims and defenses. The assigned civil section judge shall schedule the Hearing Officer Conference as part of the pretrial order, and shall issue or cause to be issued any orders necessary to procure the attendance of the parties and the production of information and documentation necessary to address the issues.

2. In the event the parties are unable to resolve all of the issues regarding the partition of the community, the Hearing Officer shall prepare a Hearing Officer Conference Report using 4th JDC Family Docket Form 3.1 or a substantially equivalent form, summarizing the disputed and undisputed facts and making recommendations regarding the manner in which the assets and obligations of the parties should be partitioned between them, and making recommendations regarding the characterizations of property and/or obligations as separate or community if those issues are presented.

3. In the event the parties are able to reach an agreement on the manner in which the community obligations and assets are to be partitioned between them, the Hearing Officer shall prepare a written agreement for the review and execution of the parties and their legal counsel (if represented), together with an appropriate judgment or order incorporating and implementing the agreement of the parties, using 4th JDC Family Docket Form 4.1 or a substantially equivalent form.

4. In the event the agreement is only a partial agreement, the Hearing Officer shall prepare a Hearing Officer Conference Report containing a summary of disputed and undisputed facts and list of recommendations on those issues on which there is no agreement.

5. Any party objecting to any portion of the Hearing Officer Conference Report shall file a written objection with the clerk of court as provided elsewhere in these rules.

FIXING CHILD SUPPORT

A. Pursuant to LSA R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by the State of Louisiana, by authorizing and directing one or more Hearing Officers, appointed by majority vote of the entire Court, to hear support and support-related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure; all of whom shall serve at the pleasure of the Court.

B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her, or them by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 as they presently exist, or as they may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law within the 4th Judicial District. Said Hearing Officer(s) shall avoid the appearance of impropriety.

C. The court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed within three (3) days from the date of the hearing. If no request for a hearing before a judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate court of appeal.

D. In all Title IV-D, (Federal Social Security Act) TANF and non-TANF cases presently pending and arising in the future, each support payment, including existing arrears and future arrears as well as on-going support payments, is hereby increased by five percent (5%) beginning November 1, 1990. On or after April 1, 2000, all such obligors or payors shall make any and all such payments for support, including the additional five percent (5%) amount, payable to the

	<p>DSS. Such payments shall be made by money order and shall be mailed directly to DSS, P. O. Box 260222, Baton Rouge, LA 70826-0222. DSS shall collect and remit the five percent (5%) fee by contract with the court.</p> <p>E. In any Title IV-D, non-AFDC, (Social Security Act) case that has been proven to the satisfaction of the Judges of the Fourth Judicial District Court by affidavit to have never been delinquent, the Court has the authority and discretion to waive the five percent (5%) administrative fee. If the defendant becomes delinquent any time thereafter, the Court will automatically assess the five percent (5%) fee.</p>
<p>Fifth Judicial District Court (Franklin, Richland, and West Carroll Parishes)</p>	<p>Use of Hearing Officers</p> <p>A. Appointment of Hearing Officer(s).</p> <p>There shall be such number of Hearing Officers as authorized by a majority of the District Judges. The District Judges by majority vote, shall fix the salary, or salaries, of the Hearing Officer(s).</p> <p>B. Authority to Hear Protective Orders.</p> <p>Pursuant to LSA R.S. 46:2135 and R.S. 46:236.5, Title 9, The Louisiana Children’s Code and the Louisiana Code of Civil Procedure, the Court hereby authorizes the Hearing Officer(s) to hear and dispose of all matters pertaining to Protective Orders in Franklin Parish, Richland Parish, and West Carroll Parish as authorized by said statutes.</p> <p>C. Appeal of Hearing Officer’s Recommendation on Protective Orders.</p> <p>A party desiring to object to the Hearing Officer’s recommendation in Protective Order Court shall immediately notify the deputy clerk of court present in the courtroom and the Hearing Officer. Both parties shall remain in the courtroom until notified of the date for the rehearing before the district judge. The rehearing shall be held before the judge to whom the case is assigned on the earliest convenient date, but in any event within thirty (30) days of the date of the objection. Where an objection is made, a new temporary restraining order and order setting the date of the rehearing shall be issued.</p> <p>D. Authority to Hear Support and Support-Related Matters.</p> <p>Pursuant to LSA R.S. 46:2135 and R.S. 46:236.5, Title 9, The Louisiana Children’s Code and the Louisiana Code of Civil Procedure, the Court hereby authorizes the Hearing Officer(s) to hear and dispose of all matters pertaining to support and support-related matters in Franklin Parish, Richland Parish, and West Carroll Parish as authorized by said statutes.</p> <p>E. Appeal of Hearing Officer’s Recommendation on Support and Support-Related Matters.</p> <p>A party desiring to appeal the Hearing Officer’s recommendations pertaining to a support, or support-related matter must notify the clerk of court in writing within three business days following the hearing. The appeal shall be heard by the judge of the district court to whom the case is assigned. Upon filing of the appeal, the court shall schedule a contradictory hearing where the judge shall accept, reject, or modify in whole or in part the findings of the Hearing Officer. If the judge in his discretion determines that additional information is needed, he may receive evidence at the hearing or remand the proceeding to the Hearing Officer. If no request for an appeal or a hearing before a judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate court of appeal.</p> <p>F. Full Exercise of Powers.</p>

It is intended that the Hearing Officer(s) shall fully exercise all powers and authority granted by law in connection with Protective Orders, support, and support-related matters and nothing shall be construed to limit those statutory power.

G. Defendant's Right to Purge Himself of Contempt.

In any instance in support court where the Hearing Officer and/or the Court imposes a period of incarceration, the defendant may purge himself of contempt and be released from jail, if incarcerated, upon paying the full amount of arrearages owed.

H. Limitation on Counsel.

An attorney shall not give counsel or countenance to a domestic client to file for a pro se protective order under Titles 9 or 46 of the Louisiana Revised Statutes, nor the Louisiana Children's Code, nor the Louisiana Code of Civil Procedure article 3601 et seq., in an attempt to circumvent normal docketing time lines, the requirement for advancement of court costs or the random allotment of cases. If the conduct prohibited in the first sentence of this paragraph occurs, the court shall either dismiss the pro se proceeding with the Article 102 or 103 divorce proceeding.

I. Hearing Officer Conferences.

At the Hearing Officer Conference, the Hearing Officer will make findings of disputed and undisputed facts and recommendations regarding the issues that are before the Court. The parties will then have seven (7) days, inclusive of weekends and holidays, to file a written objection with the office of the Clerk of Court for the parish in which the case is pending. A party's objection shall be directed to specific recommendations and shall provide legal and/or factual basis for the objection. A party filing an objection shall be obligated to provide the Hearing Officer and all parties with a copy of the objection. If all or part of the Hearing Officer's recommendations are not objected to in writing, then those which are not objected to may be adopted by the Court. The District Judge to whom the case is assigned will decide the issues that are objected to, at trial.

J. Emergency Status Conferences.

The court recognizes the need in some cases to have emergency status conferences to temporarily establish custody, visitation, child support and related disputes in advance of the hearing date before the district judge on such matters. The Hearing Officer will handle these emergency status conferences for all three divisions. If the need arises for such an emergency status conference, the Hearing Officer can be contacted to set up a date and time for this temporary relief conference.

K. Pre-Trial Memorandum.

Unless dispensed with by the Court in advance, all parties in all contested domestic relations cases which have been set for hearing on a rule to show cause or a trial on the merits as set forth above, shall submit to the Court a Pre-Trial Memorandum not later than five (5) working days prior to trial. Failure to timely file memoranda may, at the Court's discretion, result in sanctions including, but not limited to, depriving that party of any right to oral argument, removing the case from the docket, or precluding that party from calling witnesses not listed or introducing exhibits not listed.

The original copy of the Memorandum shall be filed with the Clerk of Court in the parish where the action is pending. A courtesy copy shall be mailed to the presiding judge at that judge's office address. A copy shall be mailed to all opposing counsel.

	<p>The Memorandum shall contain:</p> <ol style="list-style-type: none"> 1) A statement of facts the attorney thinks the evidence will show. 2) In the event the attorney believes the facts will be controverted, a statement as to the controverted issues of fact. 3) A brief statement as to contested issues of law, and case citations for those matters which the attorney believes support his/her position in the matter. 4) Citation of any other applicable cases which the attorney wishes to call to the Court's attention. 5) A schedule of exhibits including a list and brief description of the exhibits to be offered. 6) A list of witnesses including names and addresses and a brief summary of the anticipated nature of the testimony of each witness.
<p>Sixth Judicial District Court (East Carroll, Madison, and Tensas Parishes)</p>	<p style="text-align: center;">USE OF HEARING OFFICERS</p> <p>A. Pursuant to LSA-R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing one or more Hearing Officers appointed by the Court en banc, to hear support and support related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure; all of whom shall serve at the pleasure of the Court.</p> <p>B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her, or them by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 as they presently exist, or as they may be, from time to time, supplemented or amended in the future.</p> <p>C. The Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed within three (3) days from the date of the hearing. If no request for a hearing before a judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate court of appeal.</p> <p>D. The Court shall fix the salaries of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.</p> <p style="text-align: center;">TITLE IV-D CASES</p> <p>A. In all Title IV-D AFDC (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, a fee of five percent (5%) is assessed. All payors shall make any and all payments for support, including the five percent (5%) amount, to the "6th JDC SE Fund". Such payments shall be made only by money order or certified check and shall be either delivered directly to the Court Administrator's Office at the Courthouse in Tallulah, Louisiana or mailed to "6th JDC SE Fund", Post Office Box 1271, Tallulah, Louisiana 71284-1271.</p> <p>B. In all Title IV-D non-AFDC (Social Security Act) cases, the Court hereby assesses a fee of five percent (5%) on all support obligations made executory on or after January 1, 1991, as a result of a hearing on a rule to enforce support. Such fee, together with any amount ordered to be paid toward arrearages, shall be paid only by a money order or certified check made payable to</p>

	<p>the "6th JDC-SE Fund," and shall be either hand delivered to the Court Administrator at the Madison Parish Courthouse, Tallulah, Louisiana, or mailed to "6th JDC-SE Fund", Post Office Box 1271, Tallulah, Louisiana 71284-1271.</p>
<p>Eighth Judicial District Court (Winn Parish)</p>	<p>A. Pursuant to LSA-R.S. 46:236.5 this Court hereby implements an expedited process for the establishment, modification, and enforcement of support obligations by authorizing and directing a Hearing Officer, appointed by the Court, to hear support and support related matter, including contested and uncontested paternity cases, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court. The Judge, at his option, may implement the expedient process by conducting the trial without a hearing officer.</p> <p>B. Such Hearing Officer shall be an attorney who has been in good standing with any state bar association for not less than five years and has experience in cases involving child support services. Such Hearing Officer(s) shall have authority to perform, and shall perform any and all duties assigned by the Judge which are consistent with LSA-R.S. 46:236.5 as it presently exists or as it may be, from time to time, supplemented or amended in the future.</p> <p>C. The Court shall hold a contradictory hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed with the Clerk of Court within three (3) days from the date of the hearing. If no request for a hearing before a Judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal. The contradictory hearing shall be held before the judge who shall accept, reject or modify in whole or in part the findings of the Hearing Officer. If the Judge determines that additional information is needed, he may receive the evidence at the hearing or remand the proceeding to the Hearing Officer.</p> <p>D. The Court shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.</p> <p>E. 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 September 1, 1992. On or after September 1, all such obligors or payors shall make any and all such payments for support, including the additional five (5%) percent amount. Such payments shall be made only by money order or certified check made payable to State of Louisiana, Department of Social Services, P.O. Box 260222, Baton Rouge, Louisiana 70826.</p> <p>F. In all pleadings for child support, increases or decreases thereof, each party shall file a verified income statement as required by statute showing gross income and adjusted gross income, together with documentation of current and past earnings. The documentation shall include a copy of each party's most recent federal tax return. The verified income statements should be filed at least five (5) days prior to the time of the rule or trial. A copy of the statement and documentation shall be provided to the other party.</p> <p>G. Each party to hearings for child support should prepare the work sheet required by statute and should provide the adverse party or counsel with a copy thereof. Each party should be prepared to exchange work sheets prior to the case being called for hearing.</p>
<p>Ninth Judicial District Court (Rapides Parish)</p>	<p>A. Pursuant to LSA-R.S. 46:236.5 and R.S. 46:2135(1) this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing one or more Hearing Officers, appointed by majority vote of the entire Court, to hear support and support-related matters, and to hear and initial rule to show cause why the protective order should not be issued, as well as to hire and employ any and all such other personnel deemed necessary to implement this procedure, all on such terms and for such salaries as may be fixed by a majority vote of the Court.</p>

1. Regardless of the Division to which a matter is allotted the FIRST hearing of any kind of relevance to the issuance of a TRO shall be set for hearing by Hearing Officer(s) on Fridays at 9:30 A.M. in Courtroom Number 7, or at such a time and place as may be approved by the Court.

2. Recommendations for Judgment submitted by Hearing Officer(s) shall be signed by the Ordering Judge.

3. Any subsequent action in the same numbered case, of any kind (including: a second request for a TRO; a re-conventional demand not already set for hearing by the first request; a rule for contempt; a petition for divorce, or paternity, or custody; or any other petition for the allotted Division) shall be set for hearing in front of the Judge to whom the case was originally allotted.

4. In such cases as a second request for a TRO that will be set for hearing in front of the allotted Judge, the Hearing Officer(s) may sign/grant the TRO that is being set.

5. The Judge to whom the case was allotted may refer subsequent hearings back to the Hearing Officer(s) preferred by that Judge.

B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him or her or them by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 and R.S. 46:2135(I) as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from appearing before the Ninth Judicial District Court as lawyers in contested cases.

C. The Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed within the delays set forth by District Court Rule 35.5 as it applies to Child Support matters under LSA-RS 46:236.5 and within the delays set forth by District Court Rule 34.2 as it applies to protective orders under LSA-RS 46:2135(I) from the date of the Hearing Officer's recommendation. If no request for a hearing before a judge is filed, an order shall be signed by the judge, which shall be a final judgment and be appealable to the appropriate Court of Appeal.

D. In all Title IV-D (Social Security Act) cases presently pending and arising in the future, and in all other cases brought by the Department of Health & Human Resources on its own behalf or on behalf of any person for whom support has been ordered and whose support rights have been assigned to the Department or for whom the Department is providing support services, each support payment, including existing arrearages and future arrearages as well as ongoing support payments, is hereby increased by five percent (5%) beginning January 1, 1997. On or after that date, all such obligors or payors shall make any and all such payments for support, including the additional five percent (5%) amount, payable to the "D.S.S.". Such payments shall be made only by money order or certified check and shall either be delivered directly to D.S.S., Post Office Box 260222, Baton Rouge, Louisiana 70826-0222. Unless objection is made at the time the order is made payable to D.S.S., or by motion filed within three (3) days as specified above, such obligors or payors shall be deemed to have consented to allow the Department of Social Services to collect and distribute the additional five percent (5%) amount specified herein, to the Ninth Judicial District Court.

E. In all uncontested proceedings to establish paternity brought before the Court's Hearing Officer(s), or before the Court directly, proof may be submitted by affidavit pursuant to LSA-R.S. 9:572.

F. In all rules for child support the parties shall complete the worksheet set forth in R.S. 9:315.15. This worksheet shall be signed by both parties and their attorneys and shall be filed in the record by noon on the Wednesday preceding the hearing on Monday. Each party shall attach to the worksheet the verified income statement and documentation required by R.S. 9:315.2A.

	<p>G. Any party failing to abide by these rules shall be subject to sanctions by the Court.</p>
<p>Tenth Judicial District Court (Natchitoches Parish)</p>	<p style="text-align: center;">USE OF HEARING OFFICERS</p> <p>A. Pursuant to LSA-R.S. 46:236.5 and R.S. 46:2135(I) this Court hereby implements an expedited process for the establishment, modification, and enforcement of support obligations in all divisions of the court, by authorizing and directing an additional docket for review purposes, and authorizing and directing one or more Hearing Officers, appointed by the Court, to hear support and support related matters, and to take other such measures deemed necessary as part of an expedited process, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all on such terms and for such salaries as may be fixed by the Court.</p> <p>B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her or them, by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 and R.S. 46:2135(I) as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from appearing before the Tenth Judicial District Court as lawyers in contested cases.</p> <p>C. The Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a written objection pursuant to R.S. 46:236.5(C)(6). Such objection shall be filed within the delays set forth by District Court Rules 34.2 and 35.5, and the delays will commence from the date of the Hearing Officer's recommendation. If no request for a hearing before a judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal.</p> <p style="text-align: center;">TITLE IV-D CASES</p> <p>A. In all Title IV-D (Social Security Act) cases presently pending and arising in the future, and in all other cases brought by the Department of Health & Human Resources on its own behalf or on behalf of any person for whom support has been ordered and whose support rights have been assigned to the Department or for whom the Department is providing support services, each support payment, including existing arrearages and future arrearages as well as ongoing support payments, is hereby increased by five percent (5%) beginning September 1, 2011. On or after that date, all such obligors or payors shall make any and all such payments for support, including the additional five percent (5%) amount, payable to the Department of Children and Family Services (D.C.F.S.) or its successor. Such payments shall be made only by money order or certified check and shall be mailed directly to D.C.F.S., Post Office Box 260222, Baton Rouge, Louisiana 70826-2222. Unless objection is made at the time the order is made payable to D.C.F.S., or by motion filed within three (3) days as specified above, such obligors or payors shall be deemed to have consented to allow the Department of Children and Family Services to collect and distribute the additional five percent (5%) amount specified herein, to the Tenth Judicial District Court.</p> <p>B. In all uncontested proceedings to establish paternity brought before the Court's Hearing Officer(s), or before the Court directly, proof may be submitted by affidavit pursuant to LA-R.S. 9:572.</p>
<p>Thirteenth Judicial District Court (Evangeline Parish)</p>	<p>A. Pursuant to LSA-R.S. 46:236.5, the Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by selecting and appointing one or more Hearing Officers to hear support related matters, and by hiring and employing any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure and under the direction of the Court.</p> <p>B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties</p>

assigned to him, her or them by the Judges of the 13th Judicial District Court which are consistent with LSA-R.S. 45:236.5, or other applicable laws, as they presently exist or as they may be, from time to time, supplemented or amended in the future. Additionally, said Hearing Officer is authorized to handle protective orders and juvenile traffic matters to the extent allowed by law under the direction of the judges of the 13th Judicial District Court. The Hearing Officer is further authorized to handle any and all other matters allowed by future legislation.

C. The Judges of the 13th Judicial District Court, by majority vote, shall select said hearing Officer(s) and shall fix the salary and terms and conditions of employment of said Hearing Officer(s) and any such other personnel hired or employed to implement this procedure.

D. General Information

1. There shall be such number of hearing Officers for the 13th Judicial District Court as authorized by majority determination of the Judges of the 13th Judicial District Court.

2. The Hearing Officers shall perform Intake Conferences on all matters concerning child custody and visitation, child support, interim spousal support, final spousal support, and use and occupancy of the family home and movables, and such other matters as may be authorized by law.

3. The Clerk of Court's office will handle and be responsible for the processing, filing, issuing notices and subpoenas and all other duties associated with this expedited process.

E. Intake Conferences

1. After the filing of initial pleadings with the Clerk of Court, all parties will be provided notice and will be required to attend an Intake Conference with the assigned Hearing Officer.

2. The initial Intake Conference will be scheduled within thirty (30) days following the filing of the pleading.

3. At the Intake Conference, the Hearing Officer will determine the issues of the case and make recommendations for child support, interim spousal support, final periodic support and use and occupancy of the family home and movables, and such other matters as may be authorized by law.

4. At the Intake Conference, the hearing officer will also review any custody and/or visitation matters in the case.

5. All attorneys shall bring their calendars to the Intake Conference to facilitate in scheduling additional conferences or rule dates.

F. Child Support and Spousal Support

a. The hearing officers will make recommendations in child support and spousal support matters as follows:

1. Initial settings of child support and spousal support;

2. Modifications;

3. Contempt.

b. Seven (7) days prior to the Intake Conference, where child support is an issue, both parties shall submit to the hearing officer the following items:

1. A current Income and Expense Declaration Statement;
2. The last two (2) years of their state and federal income tax returns, including all attachments, specifically all schedules, W-2 forms, 1099 forms and amendments;
3. The last four (4) pay check stubs. In the event no pay check stubs are available, other appropriate documentation shall be attached;
4. If a party is self-employed or employed by a closely held business entity in which the party has an ownership interest, that party shall be required to submit to the court business and personal tax returns for the previous two (2) years, check registers, bank statements and canceled checks for their personal and business accounts and their business credit card statements for the previous twelve (12) months.
5. Any information concerning health insurance, including proof of health insurance such as cards or policies and the cost of the health insurance;
6. Any information concerning day care costs, including proof of costs such as the day care fee schedule and canceled checks for at least four (4) months if available.
7. Parties will be required to file a memorandum of issues, with the financial information, if they are seeking a deviation in child support or the case involves an unusual issue of law. This memorandum shall include case law or statutory authority in support of the hearing officer recommendation.
8. After the hearing officer makes the recommendation, the parties may object to the hearing officer recommendation within the delays set forth by District Court Rules 33.0, 34.2, and 35.5. These delays commence from the date of the hearing.
9. If the hearing officer's recommendation is not objected to within three (3) days, then the hearing officer's recommendation becomes a final order and may thereafter be presented to the court for signature. A certification of the hearing officer's recommendation must be attached to the final order.
10. If both parties agree to the hearing officer's recommendation on the day of the Intake Conference, then the hearing officer's recommendation may become a final order. Both parties must sign a waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing officer's recommendation must be attached to the final order.
11. If both parties agree to the amount of child support or spousal before the Intake Conference or before the hearing officer makes a recommendation at the Intake Conference, then the parties may prepare and sign a hearing officer's recommendation sheet to become a final order. Both parties must sign a waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing officer's recommendation must be attached to the final order.
12. If the hearing officer's recommendation is objected to, then the hearing officer's recommendation becomes an interim order pending the final disposition of the claims by the Court. This interim order shall be without prejudice, effective the date of the meeting with the Hearing Officer and shall not affect the retroactivity of the claims of either side. The District Judge shall sign the interim order after review of the Hearing Officer's recommendation, and the interim order shall be without prejudice.
13. If one party does not provide the necessary financial information at the Intake

	<p>Conference to make a determination as to the amount of child support or spousal support, then the hearing officer will have the authority, within his/her discretion, to set an interim child support or spousal support amount based on the financial information provided by the other party. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. The party who failed to provide the necessary financial information at the Intake Conference may request a new Intake Conference date, which the Hearing Officer, at his/her discretion, may grant, in order to provide the necessary financial information and to recalculate the child support or spousal support.</p> <p>14. Any party requesting attorney fees pursuant to a Contempt proceeding shall provide the Court with an itemized account reflecting the time spent and the hourly rate charged in preparation of the Contempt proceeding.</p> <p>G. Custody and Visitation</p> <p>1. If the parties have agreed to the initial custody and/ or visitation or a change of custody and/or visitation at the Intake Conference, the parties will sign a stipulation to that effect and a certification form. This form shall thereafter be submitted to the Judge for signature and become a final judgment.</p> <p>2. If the parties do not agree to custody and/or visitation, the hearing officer will determine if the case needs to be referred to mediation, psychological evaluations, or set for a hearing before the Court.</p> <p>3. If mediation or psychological evaluation is recommended by the hearing officer at the Intake Conference, the hearing officer will determine, at the Intake Conference, the terms and conditions upon which the parties are to pay for the mediation and/or psychological evaluations and prepare an order to that effect.</p> <p>4. The parties who have been referred to mediation or psychological evaluations will be required to provide proof to the Court as to the appointments set for mediation or evaluations within fifteen working days after the Intake Conference.</p> <p>5. Pending a final determination by the Court regarding any custody or visitation issue, the child(ren)'s previously established living situation should not be radically altered or changed without prior Court approval.</p>
<p>Fourteenth Judicial District Court (Calcasieu Parish)</p>	<p style="text-align: center;">RULES</p> <p>A. All rules to show cause shall be set for a Hearing Officer Conference before the Hearing Officer utilizing the Appendix 23.0D <i>Hearing Officer Conference and Information Order</i> with the following exceptions:</p> <p>(1) Protective Orders; (2) Ex Parte requests for custody; (3) Rules to terminate the community; (4) Rules for divorce; (5) Exceptions; (6) Discovery motions; (7) Rules to show cause why a Sworn Detailed Descriptive List should not be deemed a Judicial Determination of Community Assets and Liabilities; (8) Mental Health Assistance; (9) Substance Abuse Testing; and (10) Any other rules and/or motions deemed appropriate by the Court.</p>

All Hearing Officer Conferences shall take place in the manner set forth in the rules below.

B. All rules to show cause shall also be assigned a rule date before the Judge, in addition to a Hearing Officer Conference. If the matter is contested on the rule date, all parties shall be present and a pretrial conference shall be held. The Court, in its discretion, may conduct a hearing on any pending issues that could be heard within one hour. If no agreement is reached, a *Pretrial and Trial Order* shall be issued and the matter will be fixed for trial on the Court's trial docket. The Court may issue any additional orders as it deems necessary. The Court, in its discretion, may fix the matter to another rule date if it deems appropriate.

C. All rules seeking arrearages of spousal support and/or child support or contempt rules for failure to pay spousal support and/or child support shall be accompanied by an arrearage worksheet similar to the one provided in Section V of the Appendix 23.0B *Family Law Affidavit*.

HEARING OFFICER—GENERAL RULES

A. Pursuant to La. R.S. 46:236.5, applicable articles of the Civil Code, the Code of Civil Procedure, the Children's Code, and the Revised Statutes, and in furtherance of Title IV of the Louisiana District Court Rules, the Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations and all other family proceedings as defined by La. R.S. 46:236.5 by authorizing and directing the Family and Juvenile Court Judges of the 14th Judicial District Court to nominate one or more Hearing Officers to hear these matters, with the approval of a majority of Judges of the 14th Judicial District Court, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.

The Hearing Officers shall have authority to perform and shall perform any and all duties assigned to them by the Judges of the Family and Juvenile Court which are authorized by law as it presently exists, or as it may be, from time to time, supplemented or amended in the future. The Hearing Officers shall be prohibited from appearing or practicing before the 14th Judicial District Court. The entire Court by majority vote shall fix the salaries of the Hearing Officers.

C. Upon the filing of pleadings, the parties shall be required to attend a Hearing Officer Conference with the Hearing Officer. An Appendix 23.0D *Hearing Officer Conference and Information Order* shall accompany all pleadings filed. Each party shall provide documentation to the Hearing Officer and the other party in accordance with the Hearing Officer Conference Order.

D. All parties shall be present at the Hearing Officer Conference. Failure to appear after being properly notified may result in the dismissal of the case, temporary orders being issued based on evidence presented, limitations on the presentation of evidence or witnesses, sanctions provide by law, or any other appropriate relief. No party shall be allowed to participate by telephone unless extraordinary circumstances exist and the request is approved in advance by the Hearing Officer. The person making the request shall notify the opposing party in writing and inform the Hearing Officer if the request is opposed.

E. Parties may testify to the extent deemed appropriate by the Hearing Officer. The parties or their respective counsel shall have an opportunity to provide a verbal statement of their positions to the Hearing Officer with regard to the issues before the Court.

F. If the parties are able to resolve any of the issues during the Hearing Officer Conference, the Hearing Officer shall prepare a written stipulation regarding the resolved issues for the review and execution by the parties and their attorney, if represented, together with an appropriate judgment or order incorporating and implementing the agreement of the parties. The stipulation shall contain an acknowledgement that no objection or appeal may be filed.

G. If the parties are not able to resolve all of the issues during the Hearing Officer Conference, the Hearing Officer shall issue a written Hearing Officer Conference Report with recommendations on all unresolved issues in compliance with La. R.S. 46:236.5(C)(5), at or within a reasonable time following the Hearing Officer Conference.

H. A party may file an objection to the Hearing Officer's recommendations with the Clerk of Court within ten (10) days from the date of transmittal of the recommendation utilizing the following form:

_____: 14th JUDICIAL DISTRICT COURT
VS. No. _____: PARISH OF CALCASIEU
_____: STATE OF LOUISIANA
FILED: _____: _____
DEPUTY CLERK OF COURT

OBJECTION OF HEARING OFFICER'S RECOMMENDATIONS

Considering a Hearing Officer Conference was held on the ____ day of _____, 20____, and a Hearing Officer Conference Report containing recommendations was issued by the Hearing Officer on the ____ day of _____, 20____, and not more than ten (10) days have elapsed since the date of transmittal of the Hearing Officer Conference Report, the mover objects to the following Hearing Officer's recommendations and requests a hearing before the assigned Judge:

____ CHILD CUSTODY AND VISITATION RECOMMENDATIONS;

Mover objects to the "Child Custody and Visitation Recommendations" contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____
2. _____
3. _____

____ CHILD SUPPORT RECOMMENDATIONS;

Mover objects to the "Child Support Recommendations" contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____
2. _____
3. _____

____ SPOUSAL SUPPORT RECOMMENDATIONS;

Mover objects to the "Spousal Support Recommendations" contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____
2. _____
3. _____

____ OTHER RECOMMENDATIONS;

Mover objects to the "Other Recommendations" contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____

2. _____

3. _____

____ COMMUNITY PROPERTY PARTITION RECOMMENDATIONS;

Mover objects to the "Community Property Partition Recommendations" contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____

2. _____

3. _____

Lake Charles, Louisiana this ____ day of _____, 20__.

SIGNATURE

PRINTED FULL NAME

BAR ROLL NUMBER IF ATTORNEY

STREET ADDRESS

CITY/STATE/ZIP

TELEPHONE NUMBER

ORDER

Considering the foregoing motion,

IT IS HEREBY ORDERED that the all Hearing Officer's recommendations that are not objected to shall be made an order of the Court;

IT IS FURTHER ORDERED that the Hearing Officer's recommendations that are objected to shall constitute an interim order with which all parties shall comply pending final disposition by the Court, but the interim orders shall not prejudice or affect the retroactivity of the claims of either party; and

IT IS FURTHER ORDERED that this matter be fixed for hearing before the Court on the ____ day of _____, 20__ at _____ .m.

Signed in Chambers at Lake Charles, Louisiana, this ____ day of _____, 20__.

JUDGE, 14th JUDICIAL DISTRICT COURT

FAILURE TO COMPLY WITH THE INTERIM ORDERS IN ANY WAY MAY
CONSTITUTE CONTEMPT OF COURT.

Certificate of Service

I, the below signed individual, hereby certifies that a courtesy copy of this document was provided to _____, opposing counsel/party by facsimile transmission, electronic transmission, or hand deliver to _____ (facsimile number, email address, physical location) on the ____ day of _____, 20____, and prior to delivery to this Honorable Court.

SIGNATURE

PLEASE SERVE:

A copy of this form shall be submitted contemporaneously with the Hearing Officer and the assigned Judge. If a written objection to the Hearing Officer's recommendations is timely filed, it shall not be withdrawn or dismissed unless a consent judgment as to all objected matters is filed into the record before the rule date.

I. If a written objection is filed by any party, the recommendations objected to are set for a de novo hearing before the assigned Judge. The Hearing Officer's recommendations shall become an interim order pending the final disposition by the Court, except recommendations regarding:

1. Contempt;
2. Change in legal custody;
3. Relocation;
4. Paternity determination; and
5. Partition of community property.

The interim order shall be without prejudice and shall not affect the retroactivity of the claims of either party.

J. If a written objection to the Hearing Officer's recommendations is not timely filed, the Hearing Officer's recommendations shall become a final judgment of the Court and shall be presented to the Court for signature. A certification of no objection to the Hearing Officer's recommendations must be noted on the final order.

K. If a party does not provide the required Family Court Affidavit, documents and/or financial information as ordered by the Court necessary for the Hearing Officer to make recommendations, then the Hearing Officer may recommend any of the following:

1. That the party failing to produce the Family Court Affidavit, documents and/or financial information be found in contempt of court with sanctions to be imposed;
2. That the matter be dismissed without prejudice;
3. That good cause exists to modify the retroactivity of the award; and/or
4. That temporary orders be issued based upon the limited information provided. The temporary orders shall be without prejudice and shall not affect the retroactivity of the claims of either party.

L. An individual not served personally with the notice of hearing and who failed to make an

appearance must be served with the Hearing Officer Conference Report as per La. C. Civ. Proc. Art. 1913. Otherwise, the Hearing Officer Conference Report may be transmitted to the parties in open court, in chambers, or by mail. If transmitted by mail, the notice shall be mailed to the location where service was made if unrepresented by counsel and the date of transmittal shall be the date of mailing, as reflected on the notice filed in the record.

M. If all issues are settled prior to a scheduled Hearing Officer Conference, the attorneys or parties, if unrepresented, shall notify the Hearing Officer and the assigned Judge in writing to remove the matter from the Hearing Officer and Judge's calendar.

N. A request to continue a Hearing Officer Conference may be granted for good grounds. All requests for continuance shall be in writing utilizing the forms in Appendices 24.8B or 24.8C, whichever is applicable. 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 under the provisions of La. C. Civ. P. 1602 and Rule 3(A) and (B) of these court rules.

HEARING OFFICER—SPECIFIC RULES

Child Custody and Visitation

(1) The Hearing Officers shall perform Hearing Officer Conferences on proceedings concerning child custody and visitation, contempt of court, attorney's fees and such other matters as may be authorized by law or as directed by the Judges.

(2) All pleadings filed regarding child custody or visitation shall be accompanied by an Appendix 23.0B *Family Law Affidavit*. Any documents relied upon by the Hearing Officer in making a recommendation, which is appealed, shall be filed into the record unless waived by the parties.

(3) At the Hearing Officer conference, the Hearing Officer shall determine the issues of the case, hear evidence, attempt resolution of all issues, and make recommendations on all unresolved issues. Pending a final determination by the Court on any custody and/or visitation issue, the child(ren)'s previously established living situation should not be radically altered or changed without prior Court approval.

(4) In the event the Hearing Officer determines that the matter is appropriate for mediation, the Hearing Officer shall issue a Mediation Order in accordance with the 14th JDC rules in Appendix 29.4. If the parties are unable to resolve all issues at mediation, the parties shall return to the Hearing Officer for recommendations.

Non-Support

(1) Pursuant to La. R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court implements an expedited process for the establishment, modification and enforcement of support obligations by appointment of one or more Hearing Officers to hear support and support-related matters. The Hearing Officer shall act as a finder of fact and shall make recommendations to the Court. At the conclusion of the hearing, the Hearing Officer shall render a written recommendation to the Court.

(2) Pursuant to the authority of La. R.S. 46:236.5, in all Title IV-D Social Security Act cases presently pending and arising in the future, the Court shall assess an additional five (5%) percent to each support obligation, including existing arrearages and future arrearages, as well as ongoing support payments.

(3) Unless otherwise ordered by the Court, the minutes of the Court shall reflect the amount made executory followed by the words "plus five (5%) percent thereof as a fee to fund the

administrative costs of expedited process.”

(4) Louisiana Department of Children and Family Services, Support Enforcement Services (SES), shall docket all non-support cases, both civil and criminal, pertaining to the establishment, collection and enforcement of support orders. Such cases shall be heard by the Hearing Officers appointed by the 14th Judicial District Court to preside over non-support hearings. The legal representatives of Support Enforcement Services shall represent the interest of the State at the hearings. The State shall be the prosecuting officer in these cases and shall have a representative in court when such cases are docketed.

The Hearing Officers are authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through court, subject to the Court’s approval.

(5) The guidelines as set forth in La. R.S. 9:315, et seq. are to be used in any proceeding to establish or modify child support.

The Court or Hearing Officer may deviate from the guidelines if the application would not be in the best interest of the child or would be inequitable to the parties. The Court or Hearing Officer shall give specific oral or written reasons for the deviation, including a finding as to the amount of support that would have been required under a strict application of the guidelines.

(6) All court proceedings shall be initiated by pleadings setting forth the relief sought by the moving party or the category of hearing which is being requested (i.e. reduction, contempt, etc.), as well as the names of all relevant parties and the docket number of the case.

All rules and motions filed on behalf of the defendant/payor must be submitted in writing with an appropriate certificate of service on opposing counsel.

When rules are filed alleging contempt for failure to pay support as ordered, the Regional Support Enforcement Services Office shall procure a computer printout of the defendant’s account to assist the Court or Hearing Officer in determining the proper status of the account. Both parties are to provide proof of support paid and/or received during the period of time in question.

(7) At the hearings to initially set support or modification of an existing order, both the defendant and the person seeking the order of support or modification, shall bring to court, a copy of their two most recent federal tax returns, four recent pay check stubs or most recent pay check stub with a year-to-date gross earnings, proof of the cost for medical insurance premiums to insure the child or children only, and proof of child care expense, or certification/evidence of state or federal benefits.

(8) When the person owing the support (designated as “Respondent”) resides within the jurisdiction of the Fourteenth Judicial District Court and the petitioner resides in another state, such cases shall be designated as “Responding UIFSA.”

In Responding URESA and Responding UIFSA matters, when the Respondent is ordered to contribute to the support of his dependents, the Court may order him to pay an additional amount as costs not to exceed 5% of the support order.

(9) Any objection to the Hearing Officer’s recommendations shall be made by utilizing the Objection of hearing Officer’s Recommendations form, above, and shall be filed with the Clerk of Court within ten (10) days from the date of transmittal of the recommendation. The recommendation may be transmitted in open court, in chambers, or by mail. If transmitted by mail, notice shall be mailed to the location where service was made and the date of transmittal is date of mailing, as reflected on the notice filed in the record.

Upon filing a written objection to the Hearing Officer's recommendation, a hearing shall be set before the assigned Judge. If no objection to the Hearing Officer's recommendation is timely filed, the Hearing Officer's recommendations shall be a final judgment of the Court.

(10) Payment and collection of support shall be in accordance with La. R. S. 46:236.5 et. seq.

(11) Both parties in a court-ordered support matter shall notify the Regional Support Enforcement Services Office in writing of any change of address, place of employment or change income.

Community Property Partition

(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 form provided in Appendix 30.0A. 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 Appendix 30.0C *Joint Detailed Descriptive List*, or a format agreed upon by both parties. 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.

The original Appendix 30.0C *Joint 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.

(4) At the Hearing Officer Conference, the Hearing Officer shall determine the issues of the case, hear evidence and review documentary evidence that pertains to the issues, attempt resolution of all issues, and make recommendations on any unresolved issues.

(5) In the event the Hearing Officer determines that the matter is appropriate for mediation, the Hearing Officer shall issue a Mediation Order in accordance with the rules in Appendix 29.4. If the parties are unable to resolve all issues at mediation, the parties shall return to the Hearing Officer for recommendations.

(6) The Hearing Officer shall have the right to appoint any experts needed to perform valuations of any property in the community or between co-owners and shall apportion the cost of the

experts between the parties. The Hearing Officer may order the parties to return for a Hearing Officer Conference upon the receipt of the expert's report to attempt resolution of all issues and make recommendations on any unresolved issues.

(7) The Hearing Officer 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. Civ. Proc. Arts. 863 and 864 and the Disciplinary Code shall be used to determine if the motion for trial is frivolous.

(8) If the parties are unable to resolve the community property partition at the Hearing Officer Conference, the Hearing Officer shall issue a written Hearing Officer Conference Report with recommendations on all unresolved at or within a reasonable time following the Hearing Officer Conference.

(9) Parties are instructed to continue to attempt issue resolution up to and including the date of trial. Should there be any changes on the Combined Detail Descriptive List submitted to the Hearing Officer at the Hearing Officer Conference, the changes shall be made to the Combined 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.

(10) The Court may, on motion of either party, or on its own motion, require a separate hearing on contested issues of law or fact or on the issues of the separate or community nature of assets or obligations and/or the valuation of assets, liabilities or reimbursements, prior to a trial on the merits. Decisions on questions of law or fact shall be considered preliminary findings in nature for appeal purposes. No appeal may be taken until the final judgment covering all the community property issues is signed pursuant to La. R.S. 9:2801 et seq. *See* La. C. Civ. Proc. art. 1915.

(11) It shall be the responsibility of any party, who is an employee participant in a benefit plan in which the community possesses an interest, to obtain all available forms and other necessary information from the plan administrator which shall be submitted to the Hearing Officer and/or Court, as well as, opposing counsel, or the opposing party if unrepresented, so that a Qualified Domestic Relations Order (QDRO) can be prepared as directed by the Hearing Officer and/or Court.

(12) Except for good cause shown, any copies of items (as opposed to originals) produced in response to pretrial discovery, which are otherwise admissible into evidence at the trial of the matter, shall be admissible at trial unless an objection is made thereto at the Hearing Officer Conference, and placed in the Combined Detail Descriptive List delineating each item objected to and the legal basis for the objection.

<p>Fifteenth Judicial District Court (Acadia, Lafayette, and Vermilion Parishes)</p>	<p>A. Hearing Officers – General</p> <p>Pursuant to LSA R.S. 46:236.5 this Court, hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing Judges assigned to the Family Docket to nominate one or more Hearing Officers, with the approval of a majority of Judges of the Fifteenth Judicial District Court, to hear support related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.</p> <p>Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Judges of this Court which are consistent with LSA R.S. 46:236.5, as it presently exists or as it may be, from time to time, supplemented or amended in the future, including but not limited to, matters for the establishment of paternity and the establishment and enforcement of support and other domestic and family matters. Domestic and family matters shall include divorce and all issues ancillary to a divorce proceeding; all child-related issues such as paternity, filiation, custody, visitation, and support in non-marital cases; all protective orders filed in accordance with R.S. 46:2131 et seq., R.S. 46:2151 et seq., and all injunctions filed in accordance with R.S. 9:361, 371, and 372 and Code of Civil Procedure Articles 3601 et seq., which involve personal abuse, terrorizing, stalking, or harassment; and enforcement of orders in any of these matters, including contempt of court.</p> <p>Said Hearing Officer(s) shall be prohibited from appearing or practicing before the Fifteenth Judicial District Court.</p> <p>The entire Court, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired or employed to implement this procedure.</p> <p>There shall be such number of Hearing Officers for the Family Docket of the 15th Judicial District Court as authorized by the District Judges.</p> <p>B. Matters To Be Heard by Hearing Officers</p> <p>1. The Hearing Officers shall perform Hearing Officer Conferences on summary proceeding matters concerning child custody and visitation, child support, interim spousal support, final periodic support, use and occupancy of the family home, use of community movables property, contempt of court, attorney’s fees and such other matters as may be authorized by law or as directed by the District Judge. Upon the request of counsel, a party shall have the right to be present in a Hearing Officer Conference, and may testify to the extent deemed appropriate by the Hearing Officer.</p> <p>2. In all suits for annulment, divorce and separation and in suits assigned to the Family Docket, each party shall prepare and submit the appropriate mandatory Hearing Officer Conference Affidavits and Checklists within the time delays set forth herein. To the extent documents are relied upon by the Hearing Officer in making a recommendation, said documents shall be filed into the record of the proceeding unless waived by counsel of record, or by the party if unrepresented.</p> <p>C. Hearing Officer Conference</p> <p>1. After filing initial pleadings with the Family Docket, all parties shall be required to attend a Hearing Officer Conference with the assigned Hearing Officer, with the following exceptions:</p> <p>(a) When a party is seeking final periodic spousal support, the matter shall be bifurcated and fixed in regular course on the appropriate divisions’ docket for a determination of the issue of mover’s freedom from fault. Thereafter if the moving party is found to be free from fault, a Hearing Officer Conference shall be scheduled as soon as the docket permits to determine the</p>
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amount of final periodic spousal support. If either party timely objects to the Hearing Officer's Recommendation, the matter shall be fixed before the District Judge. If a bifurcated hearing is held, the ruling of the Court on the issue of fault shall be considered an interlocutory decree if the moving party is found free from fault and shall not be a final judgment until there has been a determination setting the amount of the spousal support.

(b) Termination of the community property regime in accordance with C.C. Art. 2374(C) which shall be set expeditiously by the Clerk.

(c) A judicial determination that the detailed descriptive list of a party is deemed to constitute the community assets and liabilities in accordance with R.S. 9:2801(A)(1)(a).

(d) Discovery motions which shall be set expeditiously by the Clerk.

(e) Matters that require the services of an attorney ad hoc to locate an absentee party when the appointed attorney has been unable to locate the absentee party.

(f) Preliminary injunctions between spouses as permitted by C.C.P. Art. 3604(B).

(g) Motion for Sanctions.

2. The initial Hearing Officer Conference shall be scheduled as soon as the docket permits following the filing of the pleading.

3. If there are complicated or extraordinary issues that will require a Hearing Officer Conference longer than an hour, the parties shall notify the Hearing Officer of this fact at the time the order to set the Hearing Officer Conference is filed, or immediately upon determining that a longer time is necessary. Thereafter, the Hearing Officer may schedule a longer Hearing Officer Conference to accommodate the issues of the case if time is available.

4. If, however, the Court determines that there exists a situation of immediate danger or immediate need, the initial conference shall be scheduled at an earlier date at the request of the parties.

5. All attorneys shall bring their calendars to the Hearing Officer Conference to facilitate in scheduling additional conferences or rule dates.

6. Parties shall be required to file a memorandum of issues, with the financial information, if they are seeking a deviation in child support or the case involves an unusual issue of law. The memorandum shall include case law or statutory authority in support of the deviation or the unusual issue of law.

7. At the Hearing Officer Conference, the Hearing Officer shall determine the issues of the case and in conjunction therewith, shall hear and make recommendations regarding:

(a) Contested and uncontested paternity cases.

(b) Establishment and modification of child and spousal support.

(c) The use and occupancy of the family home and use of community movable property pursuant to La. R.S. 9:374(c).

(d) The method of collection of child and spousal support.

(e) Calculation of arrearages, contempt of court, attorney's fees and sanctions as provided by law.

(f) The referral of parties to mediation.

D. Hearing Officer Recommendation and Objection Procedure

1. A copy of any written recommendation rendered by the Hearing Officer shall be provided to the parties and their counsel at the time of the Hearing Officer's ruling, if present. The recommendation(s) of the Hearing Officer shall be filed into the record, but shall not be provided to the Judge hearing the case. Further, the parties shall complete and file into the record of the proceeding the applicable portions of the Appendix 23.0B *Family Law Affidavit* for child support and spousal support, including the Income and Expense Sheet in Part VIII.

2. If both parties agree to the Hearing Officer's recommendation on the day of the Hearing Officer Conference, then the Hearing Officer's recommendation shall become a final order after signature by the Judge. Both parties must sign a waiver to the three (3) day objection period.

3. Any party who disagrees with a recommendation of a Hearing Officer on a matter set forth may file a written objection thereto within the delays set forth in District Court Rules 33.0, 34.2, and 35.5.

4. If the parties cannot agree on the matters fixed for Hearing Officer Conference, then the Hearing Officer shall recommend a temporary order on all matters which shall be forwarded to the District Judge for consideration as a temporary order after the objection period has expired.

5. If a written objection to the Hearing Officer's recommendation is timely filed by either party, then the Hearing Officer recommendation shall be forwarded to the District Judge who may accept, reject, or modify it in whole or in part as a temporary order after the objection period has expired until a contradictory hearing can be had. Any such temporary order signed by the District Judge shall be considered interlocutory in nature.

6. Upon timely written objection filed by either party, the matter shall proceed to the scheduled contradictory hearing (or a contradictory hearing shall then be scheduled if not previously fixed) where the Judge shall hear the matter de novo.

7. To preserve the right of de novo review, in the event of an objection to the Hearing Officer's recommendations, there shall be no discussion regarding the merits of the case with the District Judge assigned thereto.

8. If no written objection is filed with the Clerk of Court within the time and manner established, the recommendation shall become a final judgment of the Court and shall be signed by a District Judge as a final judgment. The judgment, after signature by a District Judge shall be served upon the parties in accordance with law.

9. If either party does not provide the required financial information as ordered by the Court at the Hearing Officer Conference necessary to make a determination as to the amount of child support or spousal support, then the Hearing Officer, in order to do substantial justice, may recommend that the party failing to produce the financial information be found in contempt of court with sanctions to be imposed, and/or may recommend that the matter be dismissed without prejudice and/or may recommend that good cause exists to modify the retroactivity of the award, and/or may make temporary recommendations based upon the limited information provided. If the Hearing Officer is unable to make a recommendation based upon the information provided, the Court may set a limited hearing for purposes of fixing temporary child support or spousal support. The temporary order shall be without prejudice and shall not affect claims of retroactivity except for good cause shown.

Sixteenth

USE OF HEARING OFFICERS

**Judicial
District Court
(Iberia, St.
Martin, and St.
Mary Parishes)**

- A. There shall be such number of Hearing Officers for Family Docket cases as authorized by a majority of the District Judges.
- B. The District Judges, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired or employed to implement the procedure.

Comment:

Former Sixteenth Judicial District Court Rule 5A.3

- C. Unless otherwise ordered by a Judge of this Court, the Hearing Officer shall perform Hearing Officer Conferences on all matters filed on the Family Docket. Any request to have the matter heard by the Court, without a Hearing Officer Conference in advance of the court hearing, shall be presented to the Hearing Officer, who shall then present the request to the presiding Judge with an appropriate recommendation regarding whether a Hearing Officer Conference should take place or may be by-passed.

Comment:

Former Sixteenth Judicial District Court Rule 5A.3.

HEARING OFFICER CONFERENCE

- A. After filing initial pleadings on the Family Docket, all parties will be required to attend a Hearing Officer Conference with a Hearing Officer and to provide documentation to the Hearing Officer and the other party in accordance with any order(s) issued by a Hearing Officer. The office of the Hearing Officer shall issue or cause to be issued (1) an original Appendix 23.0D *Hearing Officer Conference and Information Order*, and provide same to the appropriate individual in the office of the Clerk of Court to prepare certified copies for service on the parties, and (2) duplicate copies of an Appendix 23.0B *Family Law Affidavit*, and provide them to the Clerk of Court for service on the parties.

- B. The initial Hearing Officer Conference will, to the extent feasible, be scheduled within twenty one (21) days following the rendition of the order scheduling a court hearing on the issues which should be considered in a Hearing Officer Conference. All parties shall be required to submit to the Hearing Officer, and other party/parties a completed Appendix 23.0B *Family Law Affidavit* together with all documentation ordered by the Appendix 23.0D *Hearing Officer Conference and Information Order* and the Appendix 23.0B *Family Law Affidavit* not less than five (5) days, exclusive of weekends and legal holidays prior to the Hearing Officer Conference. It is within the discretion of the Hearing Officer to permit a party to submit the Appendix 23.0B *Family Law Affidavit* and its attachments later than five (5) days prior to the Hearing Officer Conference.

- C. If there are complicated or extraordinary issues which will require a Hearing Officer Conference which is longer than what is usually and customarily scheduled by the Hearing Officer in each parish, the parties shall notify the Hearing Officer of this fact at the time the initial pleading is filed. Thereafter, the Hearing Officer may schedule a longer Hearing Officer Conference to accommodate the issues of the case.

- D. If there exists a situation of immediate danger, the Hearing Officer Conference may be scheduled at an earlier date at the request of any party, or may, in the discretion of the Court, bypass the Hearing Officer Conference, taking into consideration the recommendation of the

Hearing Officer.

E. At the Hearing Officer Conference, the Hearing Officer will make findings of fact and recommendations regarding the issues that are before the Court.

F. At the Hearing Officer Conference, the Hearing Officer will also prepare a written Hearing Officer Conference Report which includes a summary of the facts and circumstances underlying the issues before the Court, and provides specific recommendations to the Court regarding the manner in which those issues should be decided, including, within the discretion of the Hearing Officer, a recommendation that an issue should be deferred to the presiding judge. The Hearing Officer Conference Report shall indicate the parties and legal counsel in attendance, and shall further note the failure to appear or to remain for the duration of the Hearing Officer Conference by any party or legal counsel.

G. Objections to Hearing Officer Conference Report

See 16th JDC entry in Appendix 35.5 *See* 16th JDC entry in Appendix 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).

H. Adoption of Hearing Officer Recommendations

See 16th JDC entry in Appendix 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).

I. If both parties agree on some or all of the issues before the Court during the Hearing Officer Conference, the Hearing Officer shall prepare a written agreement for the review and execution of the parties and their legal counsel (if represented), together with an appropriate judgment or order incorporating and implementing the agreement of the parties. Any such agreement shall contain an acknowledgement that no objection or appeal may be filed to same. In the event the agreement is only a partial agreement, the Hearing Officer shall prepare a Hearing Officer Conference Report containing a summary of facts and a list of recommendations on those issues on which there is no agreement.

J. In the event the parties settle all issues prior to the scheduled Hearing Officer Conference, they shall prepare the appropriate settlement documents and provide an executed copy of same to the Hearing Officer prior to the scheduled Conference in order to cancel the scheduled Conference as well as the Court date, and shall be further obligated to advise the offices of the presiding Judge and the clerk of court when the settlement has been finalized and executed.

K. If one party does not provide the necessary information for the Hearing Officer to make a determination as to the issues before the Court, then the Hearing Officer will have the discretion to render a Hearing Officer Conference Report based on the information provided by the other party, or such other relief as is appropriate under the circumstances, including continuing the Hearing Officer Conference and the scheduled Court date, if the failure to provide documentation is attributable to the party seeking relief from the Court. This interim recommendation shall be without prejudice and shall not affect the retroactivity of the claims of either side.

Comment:

Hearing Officer Conference Rule, former Sixteenth Judicial District Court Rule 5A.4.

CUSTODY AND VISITATION

- A. If the parties have agreed to custody and/or visitation at the Hearing Officer Conference, the parties will sign a stipulation to that effect and a consent judgment incorporating same.
- B. If the parties do not agree to custody and/or visitation, the Hearing Officer will render a Hearing Officer Conference Report, summarizing the facts presented at the Conference, and making appropriate recommendations for a resolution of the issues, including, but not limited to, mediation, psychological evaluation(s), and/or a recommendation on the merits to be determined by the Court.
- C. If mediation or psychological evaluations are recommended by the Hearing Officer in the Hearing Officer Conference Report, the Hearing Officer will include, as part of the recommendation(s), the terms and conditions upon which the parties should pay for the mediation or psychological evaluations and prepare an order to that effect. The Hearing Officer shall attach a copy of the proposed order to the Hearing Officer Conference Report, and shall provide the original of same to the presiding Judge for review and approval. If to the terms and/or conditions for payment recommended by the Hearing Officer for the mediation or psychological evaluation, that party shall file a written objection with the clerk of court as provided elsewhere in these rules.
- D. If no written objection to the Hearing Officer Conference Report is filed as provided elsewhere in these rules, the Court may, after the passage of all delays within which to file an objection, adopt the recommendations of the Hearing Officer and execute the proposed order which was provided to the presiding Judge by the Hearing Officer.

Comment:

Custody/Visitation, 3 paragraphs, former Sixteenth Judicial District Court Rule 5A.5.

MEDIATION

- See 16th JDC entry in Appendix 29.4 (“Court-Specific Rules Concerning Mediation”),

CUSTODY EVALUATIONS

See 16th JDC entry in Appendix 24.13 (“Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings”).

PARTITION OF COMMUNITY PROPERTY

- A. At or about twenty one (21) days prior to any partition trial on the merits, counsel and the parties shall attend a Hearing Officer Conference to discuss the nature and basis of their claims and defenses.
- B. The Hearing Officer(s) shall be responsible for the scheduling of the Hearing Officer Conference, and shall issue or cause to be issued any orders necessary to procure the attendance of the parties and the production of information and documentation necessary to address the issues.
- C. At the Hearing Officer Conference, counsel and the parties in attendance shall make a good faith effort to narrow the issues, reach joint stipulations to dispose of uncontested matters, discuss and attempt to resolve any matters concerning the authenticity or admissibility of

exhibits produced in response to discovery, and attempt a settlement of the matter.

D. In the event the parties are unable to resolve all the issues regarding the partition of the community, the Hearing Officer shall prepare a Hearing Officer Conference Report, summarizing the relevant facts and making recommendations regarding the manner in which the assets and obligations of the parties should be partitioned between them, and making recommendations regarding the characterizations of property and/or obligations as separate or community if those issues are presented.

E. In the event the agreement is only a partial agreement, the Hearing Officer shall prepare a Hearing Officer Conference Report containing a summary of facts and list of recommendations on those issues on which there is no agreement.

F. Any party objecting to any portion of the Hearing Officer Conference Report shall file a written objection with the clerk of court as provided elsewhere in these rules.

G. In the event the parties are able to reach an agreement on the manner in which the community obligations and assets are to be partitioned between them, the Hearing Officer shall prepare a written agreement for the review and execution of the parties and their legal counsel (if represented), together with an appropriate judgment or order incorporating or implementing the agreement of the parties.

Comment:

Partition of Community, paragraphs above, former Sixteenth Judicial District Court Rule 5A.8.

DOMESTIC VIOLENCE PROTECTIVE ORDERS

Forms, Notices and Orders Required

A. Upon the filing of any petition alleging domestic abuse under Title 46 of the Louisiana Revised Statutes, the Clerk shall assign a date and time for hearing on Protective Orders before the Hearing Officer and the Judge assigned to hear rules to show cause on that same day, and shall insure that the appropriate citations and notices required by law for service on the parties shall instruct the parties to report to the Hearing Officer on the date and at the time of the scheduled hearing.

B. The Hearing Officer shall conduct a pre-trial hearing with the parties prior to their appearance before the Judge hearing those matters on the scheduled court date, and shall attempt to have the parties reach an agreement regarding an appropriate resolution of the issues before the Court.

C. If the parties reach an agreement, the Hearing Officer shall prepare the appropriate documentation for the review and execution of the parties, and for subsequent review and approval of the Judge.

D. If the parties fail to reach a complete agreement, the Hearing Officer shall verbally advise the parties of the recommendation and determine whether either or both of the parties object to the recommendation. If either or both of the parties voice an objection, the Hearing Officer shall communicate the recommendation to the Judge which was provided to the parties, and shall refer the parties to the Judge for an adversarial hearing, which shall be taken up by the Judge on the docket for that same day.

E. It shall not be necessary for either party to file a written objection to the Hearing Officer's

verbal recommendation in matters seeking relief for protection from abuse or harassment (protective orders) which are being heard on the same day as the Hearing Officer's pre-trial hearing, and it shall be sufficient for a party to voice an objection to the Hearing Officer. Notwithstanding, if a request for protection from abuse or harassment is presented to the Court in a civil proceeding other than a protective order hearing and which is heard in a Hearing Officer Conference, a party objecting to a recommendation in a Hearing Officer Conference Report shall be required to file a written objection as provided elsewhere in these rules.

Comment:

Domestic Violence Protective Petitions/Orders, paragraphs above, former Sixteenth Judicial District Court Rule 5A.9

ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE
PROCEEDINGS

Notice and Exchange of Information

In all alimony cases, counsel shall file a financial declaration of the client on forms to be supplied by the office of the Clerk of Court. In all child support cases, counsel shall file the worksheet required by LSA-R.S. 9:315.2. These affidavits shall serve as pre-trial memoranda if the only contested issues are the amounts of alimony and/or child support.

Comment:

Alimony/Child Support, paragraphs above, former Sixteenth Judicial District Court Rule 7.1

CHILD SUPPORT PURSUANT TO HEARING OFFICER PROCEEDING CRIMINAL NON-SUPPORT; NON-SUPPORT HEARING OFFICER

A. Pursuant to LSA-R.S. 46:236.5, this Court hereby implements an expedited process for the establishment, modification, and enforcement of support obligations by authorizing and directing a Hearing Officer, appointed by a majority of the entire Court to hear support and support related matters.

B. The Hearing Officer shall be an attorney who is a member in good standing of the Louisiana State Bar Association. The salary of the Hearing Officer shall be fixed by majority vote of the Court.

C. The Hearing Officer shall have authority to perform and shall perform any and all duties provided by LSA-R.S. 46:236.5 as it presently exists or as it may be, from time to time, supplemented or amended, unless limited by the Court.

D. The Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing with the Clerk of Court of the motion for same provided by LSA-R.S. 46:236.5C(5) within seventy-two (72) hours from the date of the Hearing Officer's recommendation to the Court. Such hearings shall be governed by the General Criminal Rules as herein provided.

E. If no request for a hearing before a Judge is filed within said seventy-two (72) hour period, an order shall be signed by any Judge of the Court confirming the recommendation of the Hearing Officer, which order shall be a final judgment and be appealable to the appropriate Court of

	<p>Appeal. Sixteenth Judicial District Court Rule 14A</p> <p style="text-align: center;"><u>Comment:</u></p> <p>Child Support Pursuant to Hearing Officer Proceedings, Criminal Non-Support, paragraphs above, former Sixteenth Judicial District Court Rule 14A, 14A.1-14A.5.</p>
<p>Eighteenth Judicial District Court (Iberville, Pointe Coupee, and West Baton Rouge Parishes)</p>	<p style="text-align: center;">HEARING OFFICERS</p> <p>Section A.</p> <p>Pursuant to LSA-R.S. 46:236.5 this Court, hereby implements an expedited process for the establishment, modification and enforcement of support obligations and family related matters by authorizing and directing Judges assigned to the Family Docket to nominate one or more Hearing Officers, with the approval of a majority of Judges of the Eighteenth Judicial District Court, to hear family law related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.</p> <p>Section B.</p> <p>Unless otherwise ordered by a judge of this Court, the Hearing Officer shall perform Hearing Officer Conferences on all matters filed on the Family Docket. Any request to have the matter heard by the Court, without a Hearing Officer Conference in advance of the court hearing, shall be presented to the Hearing Officer, who shall then present the request to the presiding Judge with an appropriate recommendation regarding whether a Hearing Officer Conference should take place or may be by-passed.</p> <p>Section C.</p> <p>Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Judges of this Court which are consistent with LSA R.S. 46:236.5, as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from appearing or practicing before the Eighteenth Judicial District Court.</p> <p>Section D.</p> <p>The entire Court, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired or employed to implement this procedure.</p> <p style="text-align: center;">HEARING OFFICER RULES</p> <p>Section A.</p> <p>Intake Conference Order.</p> <ol style="list-style-type: none"> 1. After filing initial pleadings with the Family Docket, all parties will be required to attend an Intake Conference with the assigned Hearing Officer. 2. The initial Intake Conference will be scheduled within twenty-one (21) days following the filing of the pleading. 3. If, however, the court determines that there exists a situation of immediate danger or urgency,

the initial conference will be scheduled at an earlier date at the request of the parties. If Ex Parte custody see Rule 21.

4. At the Intake Conference, the Hearing Officer will determine the issues of the case and make recommendations.

Section B.

Child Support, Spousal Support, Custody and Visitation

1. The hearing officers will make recommendations in all child support and all spousal support matters as follows:

2. At an Intake Conference, where child support or spousal support is an issue, both parties shall submit to the hearing officer the following items:

(a) A current Income and Expense Affidavit substantially in compliance with Form A.

(b) The last three (3) years of their state and federal income tax returns, including all attachments, specifically all schedules, W-2 forms, 1099 forms and amendments.

(c) The last four (4) pay check stubs. In the event no paycheck stubs are available, other appropriate documentation shall be attached.

(d) If a party is self-employed or employed by a closely held business entity in which the party has an ownership interest, that party shall be required to submit to the court business and personal tax returns for the previous two (2) years, check registers, bank statements and canceled checks for their personal and business accounts and their business credit card statements for the previous twelve (12) months.

(e) Any information concerning health insurance, including proof of health insurance, such as cards or policies and the cost of the health insurance.

(f) Any information concerning day care costs, including proof of costs such as the day care fee schedule and canceled checks for at least four (4) months if available.

(g) Private School

3. If one party does not provide the necessary financial information for the Intake Conference to make a determination as to the amount of child support or spousal support, then the hearing officer will have the authority, within their discretion, to set an interim child support or spousal support amount based on the financial information provided by the other party. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. The party who failed to provide the necessary financial information at the Intake Conference may request a new Intake Conference date to provide the necessary financial information and to recalculate the child support or spousal support.

4. Any party requesting attorney fees pursuant to a Contempt proceeding should provide the Court with an itemized account reflecting the time spent and the hourly rate charged in preparation of the Contempt proceeding.

Section (B) (1)

Protective Orders and Domestic Abuse Petitions

1. Pursuant to LSA R.S. 46:2135(I) all initial rules to show cause why a protective order should not issue shall be heard by a Hearing Officer, appointed in accordance with the procedures

provided in LSA R.S. 46:236.5 and Local Rule 24, and subject to the following procedures.

2. Upon filing of any petition alleging domestic abuse under Title 46 of the Louisiana Revised Statutes, the Clerk of Court shall refer the petition to the Duty Judge or Hearing Officer for the purpose of reviewing the petition and granting or denying a temporary restraining order. Upon the granting of the temporary restraining order the matter shall be fixed for hearing before the Hearing Officer on the next available date currently designated as child support court or temporary restraining order court in each respective parish.

3. The Hearing Officer shall take testimony, make findings of fact and a recommendation to the District Court. If no appeal is requested, the District Judge shall approve and sign the appropriate Uniform Abuse Prevention Order and forward it to the Clerk of Court without delay. The Clerk of Court shall transmit the Uniform Abuse Prevention Order to the central registry by facsimile transmission as expeditiously as possible, but no later than the end of the next business day after the order is filed with the Clerk of Court.

4. Should any party request an appeal/objection to the District Court, such appeal/objection must be perfected according to the procedures set forth below in Section C.

Section C.

Objection/Appeal

1. If objections are made to the hearing officer's recommendation, (FORM O) (Objection to Hearing Officer Recommendation) must be completed and filed into the record.

2. After the hearing officer makes the recommendation, the parties will have three (3) days, exclusive of legal holidays, and weekends from the date of the hearing, to object to the hearing officer recommendation.

3. Should any party request an appeal to the District Court, such appeal must be perfected according to the procedures set forth here and the parties shall be directed to the District Judge, where the appeal shall be heard, by contradictory hearing, as expeditiously as possible but no later than the next regularly scheduled civil motion day following the request for an appeal.

4. If an objecting party does not appear at the time on which the matter is scheduled for trial, then the judge shall accept, reject, or modify in whole or in part the findings of the the hearing officer.

5. If the hearing officer's recommendation is not objected to within three (3) days, then the hearing officer's recommendation becomes a final order and may thereafter be presented to the court for signature as a final judgment. The Hearing Officer's recommendation must be attached to the final order along with a child support worksheet.

6. If both parties agree to the hearing officer's recommendation on the day of the Intake Conference, and then the hearing officer's recommendation may become a final order. Both parties must sign a waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing recommendation must be attached to the final order.

7. If the hearing officer's recommendation is objected to, then the hearing officer's recommendation becomes an interim order pending the final disposition of the claims by the Court. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side.

8. If the parties reach a stipulation, they waive their right to objection/appeal to the District Court

Judge. Thereafter, if change is sought the appropriate pleadings must be filed.

Section D.

Custody and Visitation

1. If the parties do not agree to custody and/or visitation, the hearing officer will determine if the case needs to be referred to mediation, psychological evaluations, or set for a hearing before the Court.
2. If mediation or psychological evaluations are recommended by the hearing officer at the Intake Conference, the hearing officer will determine, at the Intake Conference, the terms and conditions upon which the parties are to pay for the mediation or psychological evaluations and prepare an order to that effect in compliance with (FORM Q & R).
3. The parties who have been referred to mediation or psychological evaluations will be required to exchange proof to the Court as to the appointments set for mediation or evaluations within fifteen working days after the Intake Conference.

Section E.

Continuance

Where the parties agree on a continuance and the date, it will be necessary for each attorney to fax correspondence to the Hearing Officer stating the above. The correspondence shall include the caption of the case, docket number and parish along with the current date the hearing is set for, the new date agreed upon and the signatures of BOTH parties. Otherwise, a formal motion shall be filed and a contradictory hearing will be held.

NON-SUPPORT (CIVIL AND CRIMINAL)

Section A.

Pursuant to Louisiana R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court implements an expedited process for the establishment, modification and enforcement of support obligations by appointment of one or more Hearing Officers to hear support and support-related matters. The Hearing Officers shall act as a finder of fact and shall make recommendations to the Court. At the conclusion of the hearing, the Hearing Officer shall render a written recommendation to the Court.

Section B. Administrative Fee for Expedited Process.

Pursuant to the authority of R.S. 46:236.5, in all Title IV-D Social Security Act cases presently pending and arising in the future, the Court shall assess an additional five (5%) percent to each support obligation, including existing arrearages and future arrearages, as well as ongoing support payments, beginning February 1, 1994, in accordance with the rule as adopted by the Eighteenth Judicial District.

Unless otherwise ordered by the Court, the minutes of the Court shall reflect the amount made executory followed by the words "plus five (5%) percent thereof as a fee to fund the administrative costs of expedited process."

Section C. Filings and Pleadings.

All pleadings and motions pertaining to Non-Support shall be filed with the Non-Support Docket Clerk.

	<p>Section D. Docketing of Cases, Development of Forms.</p> <p>The Eighteenth Judicial District’s District Attorney's Office, Non-Support Division, and the Louisiana Department of Social Services, Support Enforcement Services (SES) shall cause to be docketed, all non-support cases, pertaining to the establishment, collection and enforcement of support orders. Such cases shall be heard by a Hearing Officer appointed by the Eighteenth Judicial District’s Family Docket to preside over non-support hearings. The Eighteenth Judicial District’s District Attorney shall be the prosecuting officer in these cases and shall have a representative in Court when such cases are docketed.</p> <p>The Hearing Officers are authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through Court, subject to Court approval.</p>
<p>Twenty-First Judicial District Court (Livingston, St. Helena, and Tangipahoa Parishes)</p>	<p>A. The judges of the District, by en banc order, may retain hearing officers, whose duties and powers are prescribed by law. The schedule of the Hearing Officer(s) shall be outlined on the Official Court Calendar.</p> <p>B. The Hearing Officer shall hear all contradictory motions for Protective Orders throughout the District, unless otherwise directed by the allotted (presiding) judge. Appeals from Hearing Officer decisions shall be as provided by law and to the allotted Division of Court, and judgments shall be signed by the allotted judge.</p> <p>C. The Hearing Officer shall hear all non-support matters throughout the District. Appeals from Hearing Officer decisions shall be as provided by law and to the allotted Division of Court, and judgments shall be signed by the allotted judge.</p> <p>D. The Hearing Officer may be assigned other substantive duties allowed by law upon order of the Court, en banc. The Hearing Officer shall perform such administrative duties as assigned by the Chief Judge.</p>
<p>Twenty-Second Judicial District Court (St. Tammany and Washington Parishes)</p>	<p>I. Hearing Officers – General</p> <p>Pursuant to La. R.S. 46:236.5(C), an expedited process for the establishment of paternity and the establishment and enforcement of support and other related family and domestic matters in District Court using hearing officers is implemented by the 22nd Judicial District Court as contained in the statute. The judges may appoint Hearing Officers to hear paternity, support, and other domestic and family related matters, as those matters are defined in the statute. The Hearing Officers may act as finders of fact and may make recommendations to the Court as authorized by the statute.</p> <p>The 22nd Judicial District Court Judges, by majority vote, shall determine the number of Hearing Officers for the Family Court Docket and shall set the salaries of the Hearing Officers and any other personnel employed to implement these procedures.</p> <p>The Hearing Officers shall be full or part time employees of the Court and shall be attorneys who have been in good standing with any state bar association for not less than five (5) years and who have prior experience in cases involving child support services.</p> <p>The Hearing Officers shall have authority to perform and shall perform any and all duties assigned to them by the Judges of the 22nd Judicial District Court, which are consistent with LSA R.S. 46:236.5, as it presently exists or as it may be supplemented or amended.</p> <p>Hearing Officer(s) shall be prohibited from appearing or practicing as an attorney before the 22nd Judicial District Court, separate and apart from their duties as a Hearing Officer.</p>

II. Hearing Officer Procedure

A. Matters to Be Heard by Hearing Officers

The Hearing Officers shall conduct Hearing Officer Conferences on summary proceeding matters concerning child custody and visitation, child support, interim periodic support, final periodic support, use and occupancy of the family home, use of community movable property, contempt of court, attorney's fees and such other matters as may be authorized by law and as directed by the District Judge.

B. Hearing Officer Conference

After filing of Family Court pleadings, all parties and their attorneys of record, or attorneys with full settlement authority, shall be required to attend a Hearing Officer Conference with the assigned Hearing Officer, unless specifically waived by the Court.

C. Waiver of Hearing Officer Conference

1. Final Periodic Support Cases

When a party is seeking final periodic support, the matter shall be bifurcated and first set in regular course on the appropriate Division's trial docket for a determination of the issue of mover's freedom from fault. Thereafter, if the moving party is found to be free from fault, or the parties stipulate to mover's freedom from fault, a Hearing Officer Conference shall be scheduled, as soon as the docket permits, for a recommendation on the amount of final periodic support. If either party objects to any of the Hearing Officer's recommendations, the matter shall proceed before the District Judge as scheduled. If a bifurcated hearing is held, the ruling of the Court on the issue of fault shall be considered an interlocutory decree if the moving party is found free from fault, and shall not be a final judgment until there has been a determination of the amount of spousal support.

2. Absentee Party Cases

A motion to appoint an attorney to locate and represent the interests of an absentee party does not require a Hearing Officer Conference prior to presentation of an order to the Judge for appointment. An appointed attorney shall appear either in person or by pre-arranged telephone conference, and represent the interests of their client at the assigned Hearing Officer Conference which addresses the merits of the case.

3. Domestic Violence Cases

If there has been a judicial determination of domestic violence between the parties, they shall not be required to appear at the Hearing Officer Conference. Documentation establishing the violence shall be provided to the Hearing Officer Coordinator, at facsimile number (985) 809-5398, immediately after notice of the Hearing Officer Conference is received.

4. Cases in which Exceptions are Filed

If an Exception has been filed involving issues that are required to be set before a hearing officer, then the Hearing Officer Conference will be continued pending the ruling on the exception. The Exception shall be set before the Judge on an expedited basis, if time is available, or on the Division's next available hearing date. At the Exception hearing, a Hearing Officer Conference and Rule date will be set, if still necessary, by the minute clerk, who will issue new dates and serve the parties with notice. At the Judge's discretion, the Hearing Officer Conference may be waived.

D. Procedure Prior to the Hearing Officer Conference

1. In all suits for divorce and in suits assigned to the Family Court, each party shall be served with an Appendix 23.0D Hearing Officer Conference and Information Order, and shall prepare, and exchange with the opposing counsel or party, the appropriate portions of the mandatory Appendix 23.0B Family Law Affidavit, with required attachments, five (5) business days prior to the Hearing Officer Conference. The original Family Law Affidavit and required documents shall be submitted to the Hearing Officer at the Hearing Officer Conference.
2. The parties are to personally sign the Appendix 23.0B *Family Law Affidavit*, under oath, certifying that the information contained therein and the attached documents are complete, true and correct to the best of their knowledge, information and belief. The parties are to immediately amend the affidavit and provide new documentation, if any of the information changes contained in the affidavit, prior to the hearing, and shall immediately correct any errors discovered after completion. Any amended *Family Law Affidavit* is to be provided to the opposing party and also a copy provided to the Hearing Officer at any subsequent conference.
3. A party's failure to comply with the Hearing Officer Conference and Information Order may result in penalties and sanctions. If a party does not provide the required Family Law Affidavit, documents and financial information as ordered by the Court, necessary for the Hearing Officer to make a determination as to the amount of child support or spousal support, then the Hearing Officer may recommend any of the following:
 - a) The party failing to produce the financial information be found in Contempt of Court with sanctions to be imposed;
 - b) The matter be dismissed without prejudice;
 - c) Good cause exists to modify the retroactivity of the award;
 - d) Temporary orders issue based upon the limited information provided.

If the Hearing Officer is unable to make a recommendation based upon the information provided, the court may set a limited hearing for purposes of setting temporary child support or spousal support or for a hearing on Contempt of Court. The temporary order shall be without prejudice and shall not affect claims or retroactivity except for good cause shown.

4. If a party or attorney, after having been duly cited and served with process, fails to appear or remain for the duration of a Hearing Officer Conference, or is removed from the conference for disorderly or disruptive behavior, the Hearing Officer may impose or recommend a finding of contempt and appropriate sanctions in accordance with La. R.S. 46:236.5(C)(3)(f) and La. R.S. 46:236.5(C)(4)(g).
5. If there are complicated or extraordinary issues that will require a Hearing Officer Conference longer than one and one-half (1 ½) hours, the parties shall request an extended Hearing Officer Conference in the order attached to the pleading.
6. If a case involves an unusual issue of law or a deviation in child support, a party may file a memorandum. The memorandum shall include case law or statutory authority in support of the deviation or on the unusual issue of law. The memorandum must be provided to the Hearing Officer, opposing party and/or counsel at least three (3) days, exclusive of legal holidays, prior to the Hearing Officer Conference. The responsive party may file a memorandum one (1) day prior to the Hearing Officer Conference and shall provide a copy to the Hearing Officer and opposing counsel or party at the time of filing.
7. For rules concerning continuances of Hearing Officer Conferences, see Appendix 24.8A.

8. Participation by Telephone: No party or attorney may participate by phone unless extraordinary circumstances exist and the request is approved in advance by the Hearing Officer. The party making the request shall notify the opposing party and inform the Hearing Officer if the request is opposed.

E. Procedure During the Hearing Officer Conference

All parties and their attorneys are required to participate in the Hearing Officer Conference. The original Family Law Affidavit and required documents shall be submitted to the Hearing Officer at the Hearing Officer Conference. At the time of the Hearing Officer Conference, the Hearing Officer may make a finding that a mediator and/or parenting coordinator should be appointed. The Hearing Officer may also make recommendations referring the parties to the court's social workers or other mental health professionals or experts to discuss parenting schedules, co-parenting and parenting classes, medical and/or psychological evaluation, drug testing, counseling, and substance abuse treatment. All attorneys shall have access to their calendars at the Hearing Officer Conference to facilitate future scheduling.

1. Mediation:

- a) The parties shall have an opportunity to provide a verbal statement of their positions to the Hearing Officer with regard to the custody and/or visitation issues before the Court. The Hearing Officer may make a finding that the matter is appropriate for mediation, or another form of alternative dispute resolution.
- b) The case may be mediated by court approved mediators who meet qualifications set forth in La. R.S. 9:334. Mediators shall preserve and maintain the confidentiality of mediation proceedings pursuant to La. R.S. 9:332C.
- c) A Court approved mediator must be listed on the roster of approved custody and visitation mediators with the Louisiana State Bar Association Alternative Dispute Resolution Section.
- d) Notwithstanding any other provision of law to the contrary, in any separation, divorce, child custody, visitation, child support, spousal support, or community property proceeding, a party who satisfies the court that they, or any of the children, have been the victim of family violence perpetrated by the other party shall not be court ordered to participate in mediation.

2. Counseling or Therapy

If the Hearing Officer believes that counseling or therapy should be ordered, the Hearing Officer shall make a written recommendation regarding same.

3. Evaluation

At the time of the Hearing Officer Conference, if either party has moved for an evaluation pursuant to La. R.S. 9:331, the parties or their counsel shall have an opportunity to provide a verbal statement and/or documentary evidence of their positions. The Hearing Officer shall then recommend whether an evaluation is appropriate, and, if so, how the costs shall be apportioned. This will remain a recommendation only until the date assigned for hearing on the court's docket, unless no objection is filed, in which case the recommendation becomes a final order of the court. Unless otherwise agreed by the parties, when an evaluation is ordered by the Court pursuant to La. R.S. 9:331, the "mental health professional" shall be a person who possesses at least a Master's degree in counseling, social work, psychology, or marriage and family counseling, or be a licensed psychiatrist.

4. Parenting Coordination

If the Hearing Officer makes a finding that appointing a parenting coordinator is appropriate: (1) The 22nd Judicial District Court Social Workers, who are trained and qualified in parenting coordination in accordance with La. R.S. 9:358.1 et seq., may be appointed in special circumstances and only if the parties agree to be bound by their recommendations until the court issues orders to the contrary at a subsequent hearing, or (2) the Hearing Officer may recommend any private parenting coordinator qualified under La. R.S.9:358.1, and assign costs to the parties.

5. Drug Testing

a) When a Pleading has been filed requesting Drug Testing

At the time of the Hearing Officer Conference, if either party has moved for drug testing pursuant to La. R.S. 9:331.1, the parties shall have an opportunity to provide a verbal statement and/or documentary evidence of their positions. The Hearing Officer shall then recommend whether drug testing is appropriate, and, if so, the type of drug testing and how the costs should be apportioned. This will remain a recommendation only until the date assigned for hearing on the court's docket, unless no objection is filed, in which case the recommendation becomes a final order of the court. If the Hearing Officer determines at the Hearing Officer Conference that drug testing of the parties or children should be expedited before the assigned hearing date before the Judge, and either party objects to drug testing, the Hearing Officer may reset the hearing on drug testing to the earliest date on the Judge's docket. The parties are to be noticed or execute a waiver of notice of hearing at the Hearing Officer Conference.

b) When a Pleading has not been filed requesting Drug Testing

If the Hearing Officer determines at the Hearing Officer Conference that drug testing of the parties or children should be ordered on an expedited basis, the Hearing Officer may recommend that an Order issue setting the matter for contradictory hearing at the earliest date on the Judge's docket. The parties are to be noticed or execute a waiver of notice of hearing at the Hearing Officer Conference.

c) Parties agree to Drug Testing

If the parties agree to drug testing, they shall sign a release provided by the Court, for release of drug testing records to the Court, to the opposing party or their attorney, if requested, and to an expert appointed by the court in the matter.

6. Substance Abuse Treatment

If, at the time of the Hearing Officer Conference, the Hearing Officer finds that substance abuse treatment is appropriate, the Hearing Officer shall make a recommendation regarding same. This will remain a recommendation only until the date assigned for hearing on the court's docket, unless no objection is filed, in which case the recommendation becomes a final order of the Court.

F. Procedure after the Hearing Officer Conference

1. At the conclusion of the Hearing Officer Conference, the Hearing Officer shall make recommendations for a proposed judgment.
2. If both parties agree to the Hearing Officer's recommendations on the day of the Hearing Officer Conference, then the Hearing Officer will prepare a Consent Judgment which shall become a final order after signature by the District Judge. All parties and their attorneys must sign a waiver of the objection period, before the Consent Judgment is signed.

3. If both parties agree to some of the Hearing Officer's recommendations and if time permits, a Consent Judgment will be prepared as to those stipulations, which will become a final judgment after signature by the District Judge. All parties and their attorneys must sign a waiver of the objection period, before the Consent Judgment may be signed.
4. If one or both parties do not agree with all of the recommendations, the Hearing Officer shall prepare a Hearing Officer Conference Report with recommendations for a proposed judgment pursuant to LSA R.S. 46:236.5. A copy of the Conference Report shall be provided to the parties and their counsel. The Conference Report shall be filed into the record.
5. Each party shall have five (5) days, exclusive of legal holidays, from issuance of the Hearing Officer Conference Report to file an objection to the Hearing Officer Conference Report, which form is available at the end of this section or from the Family Court Division or the 22nd Judicial District Court's website at www.22ndJDC.org. Written objections to recommendations of the Hearing Officer shall briefly state why the recommendations are objectionable. All issues not stipulated to in the Hearing Officer Conference will be heard on the rule date.
6. If a written objection is filed, the Hearing Officer's recommendation shall become a temporary order upon the Judge's signature, and shall remain in effect until the hearing, with the exception that a recommendation on the issues involving contempt, a change in legal custody, drug testing, substance abuse evaluation or treatment, custody evaluation, relocation, or termination of community property does not become a temporary order, but remains only a recommendation until the rule date, unless no objection is filed, in which case the recommendation becomes a final order or Judgment of the court.
7. If a written objection is filed, it shall not be withdrawn or dismissed unless a Consent Judgment as to all pending matters is filed into the record prior to the rule date.
8. If no objection is filed, then after the expiration of five (5) days, exclusive of legal holidays, the Hearing Officer recommendations will be presented to the District Judge for signature and will become a final judgment which shall be served upon the parties in accordance with law.
9. Prior to the expiration of the objection period, the Hearing Officer or Judge may extend the objection period for good cause.
10. If after an objection to the Hearing Officer recommendation is filed, the parties decide to accept the recommendation, a Consent Judgment signed by all parties and counsel of record must be submitted on or before the hearing date. If the parties do not appear on the court date and no continuance has been granted, the Hearing Officer Conference recommendation becomes a final judgment upon the Judge's signature.
11. If a party and/or their attorney, who has been duly served, fails to appear at the Hearing Officer Conference, the recommendation made may become a temporary court order or may become a final judgment upon the Judge's signature. If a temporary court order is issued, that order shall remain in effect until the rule date without prejudice to either party. The temporary court order shall become a final judgment if no one appears on the rule date.
12. The temporary orders signed by a judge upon the recommendations of the Hearing Officers are without prejudice to either party. Neither party's right to seek support retroactive to the date of demand are waived as a result of the temporary orders issued after the Hearing Officer Conference.

VS DOCKET # _____ DIVISION _____

22nd JUDICIAL DISTRICT COURT
PARISH OF _____
STATE OF LOUISIANA

FILED: _____

DEPUTY CLERK

**OBJECTION TO
HEARING OFFICER CONFERENCE REPORT**

IMPORTANT INFORMATION ABOUT FILING AN OBJECTION

Objections to the Hearing Officer Conference Report must be filed with the St. Tammany Parish Clerk of Court within 5 days, exclusive of legal holidays, from receipt of the Hearing Officer Conference Report. Please contact the Clerk of Court at (985) 809-8700 for specific instructions on the filing of Objections, including information on fax filing and payment of required fees.

Objections which are fax filed are not considered "filed" for purposes of preserving an objection, unless the original document along with the required filing fee are received by the Clerk of Court's office within the delays set out above.

NOW, INTO COURT, through undersigned counsel, or in proper person, comes _____, who represents as follows:

A *Hearing Officer Conference* was held on _____, 20____; recommendations were made on _____, 20____, and the deadline to object was _____, 20____.

Mover objects to the "Recommendations" contained in the *Hearing Officer Conference Report*, for the following reasons:

1. _____
2. _____
3. _____

WHEREFORE, MOVER PRAYS that this *Objection to Hearing Officer Conference Report* be deemed good and sufficient and that this matter proceed to hearing as currently scheduled, on all issues unresolved by Consent Judgment of the parties.

RESPECTFULLY SUBMITTED:

Signed: _____
Mover/Attorney for Mover

Address: _____
City, State, Zip: _____

Telephone: (_____) _____- _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing has been sent to all parties or their known counsel of record, as well as to the Hearing Officer on the same day and in the same manner that the Objection has been provided to the Clerk of Court, by

	<input type="checkbox"/> United States mail, properly addressed and postage prepaid. <input type="checkbox"/> Registered United States mail, return receipt requested, properly addressed and postage prepaid. <input type="checkbox"/> Facsimile transmission. <input type="checkbox"/> Hand Delivery.
	<p>_____, Louisiana, this ____ day of _____, 20____.</p> <p style="text-align: center;">_____ Mover/Counsel of Record for Mover</p>

Twenty-Third Judicial District Court (Ascension, Assumption, and St. James Parishes)	USE OF HEARING OFFICERS
	<p>A. In order to create an expedited process for the establishment of paternity and the establishment and enforcement of support and other related family and domestic matters in the Twenty-Third Judicial District Court, the judges of the Twenty-Third Judicial District Court hereby create one or more positions of Hearing Officer in Accordance with the provisions of Louisiana Revised Statute 46:236.5.</p> <p>B. The Hearing Officer(s) shall be hired on such terms and salary as may be fixed by a majority vote of the judges of the Twenty-Third Judicial District Court.</p> <p>C. The Hearing Officer(s) shall have the duties and responsibilities established by a majority vote of the Judges of the Twenty-Third Judicial District Court.</p> <p>D. The Hearing Officer for Ascension, Assumption, and St. James Parishes shall act as a finder of fact and law and shall make recommendations to the Court on those matters involving access to and visitation with minor children in those cases in which the State of Louisiana seeks to establish the same.</p> <p>E. Any party may take exception to a Hearing Officer’s findings of fact or law and move for a contradictory hearing before the Judge to which the case has been allotted.</p> <p>(1) A written opposition to the Hearing Officer’s recommendation shall be filed with the clerk of court within the delay set by the applicable District Court Rule 33.0, 34.2, or 35.5. Upon the filing a “Motion for Contradictory Hearing,” the court shall schedule a hearing on the Court’s next available date. The Judge shall accept, reject or modify in whole or in part the findings of the Hearing Officer.</p> <p>(2) Except in extraordinary circumstances, if no exception is filed within three days following the initial hearing before the Hearing Officer, an order shall be signed by the Judge. Said judgment shall be final and shall be appealable to the proper appellate court.</p> <p>F. Pursuant to Louisiana Revised Statutes 46:2135 and Revised Statutes 46:236.5, the Court hereby authorizes the Hearing Officer to hear and dispose of all matters pertaining to Protective Orders in the Twenty third Judicial District, as authorized by said statutes.</p> <p style="text-align: center;">NON-SUPPORT (CRIMINAL AND CIVIL)</p> <p>A. Expedited Process</p> <p>Pursuant to Louisiana Revised Statutes 46:236.5 and applicable articles of the Louisiana Children’s Code, this Court implements an expedited process for the establishment, modification, and enforcement of support obligations by appointment of a Hearing Officer to hear support and support related matters. The Hearing Officer shall act as a finder of fact and shall make</p>

	<p>recommendations to the Court. At the conclusion of the hearing the Hearing Officer shall render a written recommendation to the Court. The Hearing Officer shall have authority to perform and shall perform any and all duties provided by Louisiana Revised Statutes 46:236.5 as it presently exists or as it may be, from time to time, supplemented or amended, unless limited by the Court. The rules provided for herein shall also apply to those non-support cases allotted to the Parish Court.</p> <p>B. Administrative Fee for Expedited Process</p> <p>Pursuant to the authority of R.S. 46:236.5, in all Title IV-D Social Security Act cases presently pending and arising in the future, the Court shall assess an additional five (5%) percent to each support obligation, including existing arrearages, as well as ongoing support payments, beginning January 1, 2004.</p> <p>C. Development of Forms</p> <p>The Hearing Officer is authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through the Court, subject to Court approval.</p> <p>D. Motion and Contradictory Hearing</p> <p>Any party may take exception to the Hearing Officer's findings of fact or law and move for a contradictory hearing before the Judge of the appropriate division. A written opposition to the Hearing Officer's recommendation to the Court shall be filed within three (3) days from the date of the hearing with the Clerk of Court.</p> <p>Upon filing a "Motion for Contradictory Hearing" opposing the Hearing Officer's recommendation, the Court shall then schedule a contradictory hearing on the Court's next available date. The Judge shall accept, reject or modify in whole or part the findings of the Hearing Officer.</p> <p>Except in extraordinary circumstances, if no exception to the Hearing Officer's recommendation is filed within three (3) days following the initial hearing before the Hearing Officer, an order shall be signed by the Judge of the appropriate division which shall be a final judgment and shall be appealable to the proper appellate court.</p> <p>E. Change of Address of Defendant or Payee</p> <p>Both parties in a court ordered support matter are responsible for notifying the Court in writing through the Regional Support Enforcement Services Office of any change of address or place of employment.</p>
<p>Twenty-Fourth Judicial District Court (Jefferson Parish)</p>	<p>***Please see 24th JDC rules for this appendix at bottom of this chart.***</p>
<p>Twenty-Sixth Judicial District Court (Bossier and Webster Parishes)</p>	<p>A. Pursuant to La. R.S. 46:236.5 this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing one or more Hearing Officers, appointed by majority vote of the entire Court, to hear support and support related matters, and to hire and employ any and all such other personnel, agency or agencies deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.</p> <p>B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties</p>

	<p>assigned to him, her or them, by the Court which are consistent with La. R.S. 46:236.5 as it presently exists or as it may be from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law in the Twenty-Sixth Judicial District.</p> <p>C. The District Court shall hold a hearing on a matter that has been the subject of the Hearing Officer's hearing upon the taking of an exception by either party. Such exception shall be made within the delays set by the applicable District Court Rule (<i>see</i> Rules 33.0, 34.2, and 35.5) of the Hearing Officer's recommendation. If an exception is made, it shall be randomly assigned and docketed. If no exception is made, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal.</p> <p>D. The entire Court, by majority vote, shall fix the salary of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.</p> <p>E. In all Social Security Act Title IV-D (Aid for Dependent Children and Non-Aid for Dependent Children) cases presently pending and arising in the future, each support payment, including arrearages and future arrearages, as well as ongoing support payments, shall be assessed a five percent (5%) administrative fee. All such obligors or payors shall make any and all such payments for support, including the additional five percent (5%) amount, payable to CCU. Such payments shall be made only by money order and shall be mailed to the following address: CCU, P. O. Box 260222, Baton Rouge, LA 70826. Payor's Name, Social Security Number and LASES Number should appear on all money orders.</p> <p>F. Additionally, said Hearing Officer shall be authorized to preside over hearings regarding domestic matters involving Temporary Restraining Orders and Protective Orders. The Hearing Officer shall make a recommendation and immediately present to the District Judge for signing. The Order shall be forwarded to the Protective Order Registry before the next business day. A request for appeal from the Hearing Officer's recommendation shall be made immediately, in open court, and shall be placed on the next available docket before the District Court.</p>
<p>Twenty-Seventh Judicial District Court (St. Landry Parish)</p>	<p style="text-align: center;">USE OF HEARING OFFICERS</p> <p>A. Pursuant to La. R.S. 46:236.5, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by selecting and appointing one or more Hearing Officers to hear support related matters, and by hiring and employing any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure and under the direction of the Court.</p> <p>B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Judges of the 27th Judicial District Court which are consistent with La. R.S. 46:236.5, or other applicable laws, as they presently exist or as they may be, from time to time, supplemented or amended in the future. Additionally, said Hearing Officer is authorized to handle protective orders and juvenile traffic matters to the extent allowed by law under the direction of the judges of the 27th Judicial District Court. The Hearing Officer is further authorized to handle any and all other matters allowed by future legislation. Said Hearing Officer(s) shall serve under the direction of the Court and shall be prohibited from practicing law or performing notarial work in the State of Louisiana.</p> <p>C. The Judges of the 27th Judicial District Court, by majority vote, shall select said Hearing Officer(s) and shall fix the salary and terms and conditions of employment of said Hearing Officer(s) and any such other personnel hired or employed to implement this procedure.</p> <p>D. General Information.</p> <p>1. There shall be such number of Hearing Officers for the 27th Judicial District Court as</p>

authorized by majority determination of the judges of the 27th Judicial District Court.

2. The Hearing Officers shall perform Intake Conferences on all matters concerning child custody and visitation, child support, interim spousal support, final periodic support, and use and occupancy of the family home and movables, and such other matters as may be authorized by law.

3. Intake Conferences and Rule to Show Cause

(a) After the filing of initial pleadings with the Clerk of Court, all parties will be required to attend an Intake Conference with the assigned Hearing Officer.

(b) The initial Intake Conference will be scheduled within thirty (30) days following the filing of the pleading. The Rule to Show Cause shall be set no sooner than ten (10) days after the Intake Conference.

(c) At the Intake Conference, the Hearing Officer will determine the issues of the case and make recommendations for child support, interim spousal support, final periodic support and use and occupancy of the family home and movables.

(d) At the Intake Conference, the Hearing Officer will also review any custody and/or visitation matters in the case.

(e) All attorneys shall bring their calendars to the Intake Conference to facilitate in scheduling additional conferences or rule dates.

E. Child Support and Spousal Support.

1. The hearing officers will make recommendations in child support and spousal support matters as follows:

a. Initial settings of child support and spousal support;

b. Modifications;

c. Contempt.

2. Five (5) days prior to the Intake Conference, where child support or spousal support is an issue, both parties shall submit to the hearing officer the following items.

a. A current Income and Expense Declaration Statement;

b. The last two (2) years of their state and federal income tax returns, including all attachments, specifically all schedules, W-2 forms, 1099 forms and amendments;

c. The last four (4) pay check stubs. In the event no pay check stubs are available, other appropriate documentation shall be attached;

d. If a party is self-employed or employed by a closely held business entity in which the party has an ownership interest, that party shall be required to submit to the court business and personal tax returns for the previous two (2) years, check registers, bank statements and canceled checks for their personal and business accounts and their business credit card statements for the previous twelve (12) months;

e. Any information concerning health insurance, including proof of health insurance such as cards or policies and the cost of the health insurance;

f. Any information concerning day care costs, including proof of costs such as the day care fee schedule and canceled checks for at least four (4) months if available.

3. Parties will be required to file a memorandum of issues, with the financial information, if they are seeking a deviation in child support or the case involves an unusual issue of law. This memorandum shall include case law or statutory authority in support of the deviation or the unusual issue of law.

4. After the hearing officer makes the recommendation, the parties will have three (3) days, exclusive of legal holidays, from the date of the hearing, to object to the hearing officer recommendation.

5. If the hearing officer's recommendation is not objected to within three (3) days, then the hearing officer's recommendation becomes a final order and may thereafter be presented to the court for signature. A certification to the hearing officer's recommendation must be attached to the final order.

6. If both parties agree to the hearing officer's recommendation on the day of the Intake Conference, then the hearing officer's recommendation may become a final order. Both parties must sign a waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing officer's recommendation must be attached to the final order.

7. If both parties agree to the amount of child support or spousal support before the Intake Conference or before the hearing officer makes a recommendation at the Intake Conference, then the parties may prepare and sign a hearing officers' recommendation sheet to become a final order. Both parties must sign waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing officer's recommendation must be attached to the final order.

8. If the hearing officer's recommendation is objected to, then the hearing officer's recommendation becomes an interim order pending the final disposition of the claims by the Court. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side.

9. If one party does not provide the necessary financial information for the Intake Conference to make a determination as to the amount of child support or spousal support, then the hearing officer will have the authority, within their discretion, to set an interim child support or spousal support amount based on the financial information provided by the other party. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. The party who failed to provide the necessary financial information at the Intake Conference may request a new Intake Conference date to provide the necessary financial information and to recalculate the child support or spousal support.

10. Any party requesting attorney fees pursuant to a Contempt proceeding shall provide the Court with an itemized account reflecting the time spent and the hourly rate charged in preparation of the Contempt proceeding.

F. Custody and Visitation.

1. If the parties have agreed to custody and/or visitation at the Intake Conference, the parties will sign a stipulation to that effect and a certification form. This form shall thereafter be submitted to the Judge for signature and become a final judgment.

2. If the parties do not agree to custody and/or visitation, the hearing officer will determine if the case needs to be referred to mediation, psychological evaluations, or set for a hearing before the

Court.

3. If mediation or psychological evaluations are recommended by the hearing officer at the Intake Conference, the hearing officer will determine, at the Intake Conference, the terms and conditions upon which the parties are to pay for the mediation or psychological evaluations and prepare an order to that effect.

4. The parties who have been referred to mediation or psychological evaluations will be required to provide proof to the Court as to the appointments set for mediation or evaluations within fifteen working days after the Intake Conference.

5. Pending a final determination by the Court regarding any custody or visitation issue, the child(ren)'s previously established living situation should not be radically altered or changed without prior Court approval.

NON-SUPPORT (CRIMINAL AND CIVIL)

A. Expedited Process. Pursuant to Louisiana R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court implements an expedited process for the establishment, modification and enforcement of support obligations by appointment of one or more Hearing Officers to hear support and support related matters. The Hearing Officer shall act as a finder of fact and shall make recommendations to the Court. At the conclusion of the hearing, the Hearing Officer shall render a written recommendation to the Court.

B. Administrative Fee for Expedited Process. Pursuant to the authority of R.S. 46:236.5, in all Title IV-D Social Security Act cases presently pending and arising in the future, the Court shall assess up to an additional five (5%) percent to each support obligation, including existing arrearages and future arrearages, as well as ongoing support payments, as directed by the judges of the 27th Judicial District Court.

Unless otherwise ordered by the Court, the minutes of the Court shall reflect the amount made executory followed by the words "plus five (5%) percent thereof as a fee to fund the administrative costs of expedited process."

C. The Hearing Officer is authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through Court, subject to Court approval.

D. Motion and Contradictory Hearing. Any party may take exception to the Hearing Officer's findings of fact and move for a contradictory hearing before the Judge of the appropriate Division of the Court. A written opposition to the Hearing Officer's Recommendation to the Court shall be filed within three (3) days from the date of the hearing with the Clerk of Court.

Upon filing a "Motion for Contradictory Hearing" opposing the Hearing Officer's Recommendation, the Court shall schedule a contradictory hearing on the Court's next available date to be held before the Judge in the appropriate Division. The Judge shall accept, reject or modify in whole or part the findings of the Hearing Officer.

Except in extraordinary circumstances, if no exception to the Hearing Officer's Recommendation is filed within three (3) days following the initial hearing before the Hearing Officer, an order shall be signed by the Judge of the appropriate Division which shall be a final Judgment and shall be appealable to the proper appellate court.

E. Change of Address of Defendant or Payee. Both parties in a court ordered support matter are responsible for notifying the Court in writing through the Regional Support Enforcement Services Office of any change of address or place of employment.

	<p>F. Children. Clients and witnesses shall be advised not to bring children to court, unless in unusual circumstances where the child(ren) may be called as witnesses. Children, under the age of twelve, shall not be allowed in the courtroom without special permission of the court.</p>
<p>Thirty-Second Judicial District Court (Terrebonne Parish)</p>	<p>A. Civil Duty Judge: A Judge of the Civil Court shall be assigned primary responsibility for the entry of preliminary defaults, confirmation of defaults, probate of testaments, examination of judgment debtors, signing of orders in domestic abuse petitions, commitments under the Mental Health Law, and in general, to handle all routine matters not involving a contest between the parties, and in which no contest is indicated. Such Judge shall be known as the Civil Duty Judge, and he shall open Court at 9:00 o'clock A.M. daily unless he has made other arrangements and has so advised the Clerk of Court and all other Judges. The Judicial Administrator shall set up a rotation for the designated Civil Duty Judge which shall be from Monday until Friday at 4:30 P.M., and the Judicial Administrator shall furnish to the Clerk of Court the Duty Judge rotation schedule in order that all attorneys might be informed of the Section of Court handling uncontested matters.</p> <p>Counsel shall not present to the Duty Judge any matter which is related to, bears upon, or affects a contested hearing already docketed in a case. Such additional matters must be presented to the Judge to whom it is assigned.</p> <p>The Duty Judge shall maintain regular office hours between 8:30 A.M. and 4:30 P.M. It shall be the responsibility of the Duty Judge to provide for his replacement during times of his unavailability, and to inform the Clerk of Court the day before of his replacement in order that the Clerk of Court will know where to send attorneys seeking the Duty Judge.</p> <p style="text-align: center;">USE OF HEARING OFFICERS</p> <p>A. Pursuant to LSA R.S. 46:236.5. This Court hereby implements an expedited process for the establishment, modification, and enforcement of support obligations by authorizing and directing a Hearing Officer appointed by a majority of the entire Court to hear support and support related matters.</p> <p>B. Pursuant to the authority of R.S. 46:236.5. in all Title IV-D cases presently pending and arising in the future, the Court shall assess an additional five (5%) percent to each support obligation, including existing arrearages and future arrearages as well as ongoing support payments, beginning March 1, 1998 in accordance with law.</p> <p>C. Unless otherwise ordered by the Court the minutes of the Court shall reflect the amount made executor followed by the words "plus five (5%) thereof as a fee to fund the administration costs of the expedited process.</p> <p>D. The Hearing Officer shall have authority to perform and shall perform any and all duties provided by LSA R.S. 46:236.5 as it presently exists or as it may be, from time to time supplemented and amended, unless limited by the Court.</p> <p>E. Motion and Contradictory Hearing</p> <p>1. Any party may take exception to the Hearing Officer's findings of fact and move for a contradictory hearing before the Judge of the appropriate Division of the Court. A written opposition to the Hearing Officer's Recommendation to the Court shall be filed within a certain number of days – dependant on the delays set forth in District Court Rules 33.0, 34.2, or 35.5 – from the date of the hearing with the Clerk of the Non Support Division of the Family Docket.</p> <p>2. Upon filing a "Motion for Contradictory Hearing" opposing the Hearing Officer's Recommendation, the Court shall schedule a contradictory hearing on the Court's next available</p>

date to be held before the Judge in the appropriate division. The Judge shall accept, reject, or modify in whole or part the finding of the Hearing Officer.

3. Except in extraordinary circumstances, if no exception to the Hearing Officer's Recommendation is filed within three (3) days following the initial hearing before the Hearing Officer, an order shall be signed by the Judge of the appropriate Division which shall be a final Judgment and shall be appealable to the appellate court.

F. Docketing of Cases, Development of Forms.

1. The Terrebonne Parish District Attorney's Office, Non Support Division and the Louisiana Department of Social Services, Support Enforcement Services (SES) shall cause to be docketed, all non support cases, pertaining to the establishment, collection and enforcement of support orders. Such cases shall be heard by a Hearing Officer appointed by the Terrebonne Parish District Court to preside over non support hearings. The Terrebonne Parish District Attorney shall be the prosecuting officer in these cases and shall have a representative in Court when such cases are docketed.

2. The Hearing Officers are authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through Court, subject to Court approval.

G. Use of Guidelines and Deviation from Guidelines.

1. The guidelines as set forth in R.S. 9:315, et seq., are to be used in any proceeding to establish or modify child support.

2. The Court may deviate from the guidelines if the application would not be in the best interest of the child or would be inequitable to the parties. The Court shall give specific oral or written reasons for the deviation, including a finding as to the amount of support that would have been required under a strict application of the guidelines.

H. Rules and Motions

1. All Court proceedings must be initiated by written request either by formal motion or by formal rule. The written request must set forth in general terms the relief sought by the moving party or the category of hearing which is being requested (i.e., Reduction, Contempt, etc.), as well as the names of all relevant parties and the docket number of the case.

2. All rules and motions filed on behalf of the State of Louisiana, either through the Terrebonne Parish District Attorney's Office or Through Support Enforcement Services are the responsibilities of the Terrebonne Parish District Attorney, Non Support Division or Support Enforcement Services. The D.A. or legal representatives of Support Enforcement Services will represent the interest of the State at the hearings. All rules and motions filed on behalf of the defendant/payor must be submitted in writing with an appropriate certificate of service on opposing counsel.

3. When rules are filed alleging contempt for failure to pay support as ordered, the Regional Support Enforcement Services Office shall procure a computer printout of the defendant's account to assist the Court in determining the proper status of the account. Both parties are to provide proof of support paid and/or received during the period of time in question.

I. Required Information

At the hearings to initially set support or modification of an existing order, both the defendant and the person seeking the order of support or modification, shall bring to Court, a copy of their most recent state and federal tax return, four recent paycheck stubs or a paycheck stub with a

	<p>year to date amount, proof of the cost for medical insurance premiums to insure the child or children only, and proof of child care expenses, or certification/evidence of state or federal benefits.</p> <p>J. Uniform Interstate Family Support Act (UIFSA)</p> <p>1. When the person owing the support (designated as "Respondent") resides within the jurisdiction of the 32nd Judicial District Court and the petitioner resides in another state, such cases shall be designated as "Responding UIFSA".</p> <p>2. In Responding URESA and Responding UIFSA matters, when the Respondent is ordered to contribute to the support of his/her dependents, the Court may order him/her to pay an additional amount as costs not to exceed five (5%) percent of the support order.</p> <p>K. Change of Address of Defendant and Payee.</p> <p>Both parties in a court ordered support matter are responsible for notifying the Court in writing through the Regional Support Enforcement Services Office of any change of address or place of employment.</p> <p>L. Children</p> <p>Clients and witnesses shall be advised not to bring children to court, unless in unusual circumstances where the children may be called as witnesses. Children, under the age of twelve, shall not be allowed in the courtroom without permission of the court.</p> <p style="text-align: center;"><u>32nd JDC -- Comment</u></p> <p>The sources of the 32nd JDC rules above are as follows:</p> <p>Section A of this Appendix is former 32nd JDC Rule 14A.1. Section B of this Appendix is former 32nd JDC Rule 14A.2. Section D of this Appendix is former 32nd JDC Rule 14A.3. Section E of this Appendix is former 32nd JDC Rule 14A.4. Section F of this Appendix is former 32nd JDC Rule 14A.5. Section G of this Appendix is former 32nd JDC Rule 14A.6. Section H of this Appendix is former 32nd JDC Rule 14A.7. Section I of this Appendix is former 32nd JDC Rule 14A.8. Section J of this Appendix is former 32nd JDC Rule 14A.9. Section K of this Appendix is former 32nd JDC Rule 14A.10. Section L of this Appendix is former 32nd JDC Rule 14A.11.</p>
<p>Thirty-Fifth Judicial District Court (Grant Parish)</p>	<p>A. Hearing Officer and Expedited Process</p> <p>1. Pursuant to LSA-R.S. 46:236.5, this Court hereby implements an expedited process for the establishment, modification, and enforcement of support obligations by authorizing and directing a Hearing Officer appointed by the Judge of this Court to hear support and support-related matters.</p> <p>2. The Hearing Officer shall have authority to perform and shall perform any and all duties provided by LSA-R.S. 46:236.5 as it presently exists or as it may be, from time to time, supplemented and amended, unless limited by the Court.</p> <p>B. Rules and Motions</p> <p>1. All proceedings must be initiated by written request, either by formal motion or by formal</p>

rule. The written request must set forth in general terms the relief sought by the moving party or the category of hearing which is being requested (i.e., Reduction, Contempt, etc.), as well as the names of all relevant parties and the docket number of the case.

2. All rules and motions filed on behalf of the State of Louisiana, either through the District Attorney's Office or through Support Enforcement Services are to be prosecuted by the District Attorney's Office or by Support Enforcement Services. All rules and motions filed on behalf of the defendant/payor must be submitted in writing with an appropriate certificate of service on all interested parties.

3. When rules are filed alleging contempt for failure to pay support as ordered, the Regional Support Enforcement Services Office shall procure a computer printout of the defendant's account to assist the Court in determining the proper status of the account. Both the payor and the recipient are to provide proof of support paid and/or received during the period of time in question.

C. Docketing of Cases, Development of Forms

1. The District Attorney's Office shall cause to be docketed all non-support cases pertaining to the establishment, collection, and enforcement of support orders. Such cases shall be heard by the Judge or a Hearing Officer appointed by this Court to preside over non-support hearings.

2. The Hearing Officer is authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through Court, subject to Court approval.

D. Required Information

1. At the support hearing, both the payor and the person seeking the order of support or modification shall bring the following items to Court:

(a) The last two (2) years of state and federal income tax returns, including all attachments, specifically all schedules, W-2 forms, 1099 forms and amendments;

(b) The last four (4) paycheck stubs or a paycheck stub with a year-to-date amount;

(c) All checking and savings account statements for the six (6) months prior to said hearing;

(d) Proof of the cost of medical insurance premiums to insure only the child or children;

(e) Proof of child care expenses; and

(f) Certification or evidence of any state or federal benefits received by the child.

2. In certain cases, the Court may require the production of any additional information permitted by Code of Civil Procedure article 1420, et seq.

3. If one party does not provide the financial information necessary to make a determination as to the amount of child support, then the hearing officer will have the authority to set the support amount based on the financial information provided by the other party.

E. Motion and Contradictory Hearing

1. Any party may take exception to the Hearing Officer's findings of fact and move for a contradictory hearing before the Judge. A written opposition to the Hearing Officer's recommendation to the Court shall be filed with the Clerk of Court within three (3) days from the date of the hearing to be contested.

	<p>2. Upon filing a “Motion for Contradictory Hearing” opposing the Hearing Officer's recommendations, the Court shall schedule a contradictory hearing for a de novo review of the matter by the Judge. At said hearing, the Judge may accept, reject, or modify in whole or part the findings of the Hearing Officer.</p> <p>3. Except in extraordinary circumstances, if no exception to the Hearing Officer's recommendation is filed within a certain number of days – dependant on the delays set forth in District Court Rules 33.0, 34.2, or 35.5 – from following the initial hearing before the Hearing Officer, an order shall be signed by the Judge deeming it to be a final judgment of this Court which is appealable to the appellate court.</p> <p>F. Fees</p> <p>1. Pursuant to the authority of LSA-R.S. 46:236.5, in all Title IV-D cases presently pending and arising in the future, the Court may assess an additional five percent (5%) to each support obligation, including existing arrearages and future arrearages, as well as ongoing support payments.</p> <p>2. Unless otherwise ordered by the Court, the minutes of the Court shall reflect the amount made executory followed by the words “plus five percent (5%) thereof as a fee to fund the administration costs of the expedited process.”</p> <p>G. Uniform Interstate Family Support Act (UIFSA)</p> <p>1. When the person owing the support (designated as “Respondent”) resides within the jurisdiction of the 35th Judicial District Court and the petitioner resides in another state, such cases shall be designated as “Responding UIFSA.”</p> <p>2. In Responding URESA and Responding UIFSA matters, when the Respondent is ordered to contribute to the support of his/her dependents, the Court may order him/her to pay an additional amount as costs not to exceed five percent (5%) of the support order.</p> <p>H. Change of Address of Defendant and Payee</p> <p>Both parties in a court ordered support matter are responsible for giving written notification to the Regional Support Enforcement Services Office of any change in address or employment within ten (10) days of said change.</p> <p>I. Children</p> <p>Litigants and witnesses are encouraged not to bring children to the Court, unless in the unusual circumstance where the children may be called as witnesses.</p>
<p>Thirty-Sixth Judicial District Court (Beauregard Parish)</p>	<p style="text-align: center;">USE OF HEARING OFFICERS</p> <p>1. 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>2. Pursuant to La. R.S. 46:236.5 this Court hereby implements an expedited process for the establishment of modification and enforcement of support obligations by authorizing the Chief Judge of the 36th Judicial District Court to nominate one or more Hearing Officers to hear support and support related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at his/her pleasure.</p> <p>3. All filings in the 36th Judicial District Court in which alimony or support are at issue shall be</p>

first referred to the herein established expedited process for the resolution of those issues and any other collateral rule issues as may be appropriate. It is the goal of this expedited process to require the parties to litigation affected by this rule to mediate all issues possible and thereafter certify to the Court only those issues which require trial.

4. In connection with this requirement, attorneys shall confer with the opposing attorney/party no later than 48 hours prior to the pre-trial conference to determine what issues are contested.

5. Any filing including orders requesting temporary restraining orders and ex parte custody and/or visitation, shall also include the customary prayers for relief and shall not request a specific rule return date, but shall contain language to the following effect: "Following the expedited hearing process required by court rule in this case, that a rule issue herein directed to the defendant, _____, directing said defendant to show cause why the relief herein prayed for should not be granted as to any unresolved issues."

B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Chief Judge of the 36th Judicial District Court which are consistent with La. R.S. 46:236.5, as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from any domestic relations practice in the 36th Judicial District Court and shall be prohibited from appearing before the 36th Judicial District Court in any contested matter.

C. The Court shall set for hearing on its rule docket any matter that has been the subject of the expedited hearing officer process upon the filing of a motion by either party within three (3) days from the date of the filing of the hearing officer recommendations. In such cases pending hearing by the District Court, the recommendations of the hearing officer shall become interim orders of this Court; failure to comply with the recommendations may result in such contempt proceedings as appropriate. In motion requesting rule date in the District Court, attorneys shall state the specific issues in dispute to be heard by the Court or rule date will not be assigned. If no request for a rule hearing before a Judge is filed within this time an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal.

D. The Chief Judge of the 36th Judicial District Court shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.

TITLE IV-D CASES

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:

In all non-Title IV-D (Social Security Act) cases the Court hereby assesses a fee of five (5%) percent on all support obligations made executory on or after July 1, 1994, as a result of hearing on a rule to enforce support. Such fee shall be paid only by money order or certified check made payable to "36th JDC CS Fund", and shall either be delivered directly to the Court's Support Collection Office at the Family Court Section of the 14th Judicial District Court, Calcasieu Parish, Louisiana, at the Courthouse in Lake Charles, Louisiana or mailed to Post Office Box 1150, Lake Charles, Louisiana 70602.

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 "36th 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>Forty-Second Judicial District Court (DeSoto Parish)</p>	<ol style="list-style-type: none"> 1. Pursuant to R.S. 46:236.5, R.S. 46:2135(I), Title 9, and applicable articles of the Louisiana Civil Code and Louisiana Children’s Code, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing a hearing officer, appointed by majority vote of the entire Court, to hear support and support related and other domestic, juvenile, and family matters. 2. Domestic and family matters shall include divorce and all issues ancillary to a divorce proceeding; all child related issues such as paternity, filiation, custody, visitation, and support in non-material cases; all protective orders filed in accordance with R.S. 46:2131 et seq., R.S. 46:2151 et seq., and the Children’s Code and all injunctions filed in accordance with R.S. 9:361, 371, and 372 and Code of Civil Procedure Articles 3601 et seq., which involve personal abuse, terrorizing, stalking, or harassment; and enforcement of orders in any of these matters, including contempt of court. 3. The entire Court, by majority vote, shall fix the salary of the hearing officer and any such other personnel hired and employed to implement this procedure. 4. Such hearing officer shall have authority to perform and shall perform any and all duties assigned to the officer by a judge designated by the Court which are consistent with R.S. 46:236.5 as it presently exists or as supplemented or amended in the future. The Court further authorizes the hearing officer to hear and dispose of all matters pertaining to protective orders. 5. The hearing officer shall act as a finder of fact and shall make recommendations to the Court concerning the above referenced domestic, juvenile, and family matters. The recommendation may be transmitted in open court, in chambers, or by mail. 6. Any party to the proceedings may file an exception to the findings of fact or law of the hearing officer within 72 hours from the date of the hearing. The 72-hour period referred to herein shall commence running at 5:00 p.m. on the date of the hearing and shall exclude Saturday, Sunday, and other legal holidays. 7. Should any party file an exception to the findings of the hearing officer, the Court shall schedule a contradictory hearing before a judge for the taking of additional evidence if in the Court’s discretion it is determined that additional information is needed. If no exception to the hearing officer’s recommendations is timely filed, an Order shall be signed by the judge, which shall be a final judgment and be appealable to the Court of Appeal.
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24TH JDC

APPENDIX 32.0B: COURT-SPECIFIC RULES ON HEARING OFFICERS AND DOMESTIC COMMISSIONERS

I. DOMESTIC CASES 24TH JDC, DOMESTIC COMMISSIONERS, DOMESTIC HEARING OFFICERS

A. The District Court

All matters allotted to the domestic docket shall be heard by the district judge to whom the case is allotted in a timely manner unless the matter is resolved before the domestic commissioner or the domestic hearing officer as provided for in these rules. Nothing herein shall be construed or interpreted to limit the jurisdiction or authority of any district judge. It is the goal of the 24th Judicial District Court that each district judge hold an aggregate of two domestic rule days per month and an aggregate of one domestic trial week per month. The domestic docket may be commingled with other dockets.

Emancipations and annulment proceedings shall be heard exclusively by the district court. These matters are

excluded from the jurisdiction of the domestic commissioners and domestic hearing officers.

B. Domestic Commissioners

1. Appointment of Domestic Commissioners

The position of domestic commissioner for the 24th Judicial District Court, pursuant to La. R.S. 13:717, which shall consist of one or two domestic commissioners to hear matters as set forth herein, has been established.

2. Purpose

The domestic commissioner position has been created to facilitate an expedited process for the handling of domestic matters.

3. The Powers and Responsibilities of the Domestic Commissioner

a) Administer oaths and affirmations.

b) Conduct domestic abuse hearings including actions filed pursuant to the Domestic Abuse Assistance Act, the Post Separation Family Violence Relief Act, and Uniform Abuse Prevention Orders.

c) In cases where domestic abuse issues are pending, or where there has been a finding of domestic abuse, the domestic commissioner will address the issues normally heard by the domestic hearing officer with objections therefrom made to the district court as set forth in this Appendix.

d) Hear ex parte applications for immediate temporary/provisional custody and visitation rights which are pled under one of the following statutes:

i. La. R.S. 46:2131, et seq., Domestic Abuse Assistance Act;

ii. La. R.S. 9:361, 363, 364 Post Separation Family Violence Relief Act;

iii. La. R.S. 9:372;

iv. La. C.C.P. Art. 3601 et seq;

v. La. C.C.P. Art. 3945.

e) Hear objections to recommendations from the hearing officer on stand-alone non-support matters (allegations of back due child support which have previously been set when there is no motion to modify child support pending).

f) Hear disputes concerning discovery and issuance of subpoenas.

g) Following a domestic hearing officer conference sign the interim judgment of the court ordering the implementation of the hearing officer recommendations pending filing of objections and a hearing before the district court.

h) Render consent judgments under La. C.C. Art. 3071 and uncontested judgments.

i) Render and sign judgments and orders confirming default judgments in accordance with the general provisions of law.

j) Grant uncontested divorces under La. C.C. Arts. 102 and 103, or pursuant to R.S. 9:307.

k) Hear exceptions and motions for extension of time.

l) Act as duty domestic commissioner, from 9:00 a.m. to 4:30 p.m. with one and one-half (1½) hours for lunch, to address issues of immediate danger on an emergency basis when the domestic commissioner to whom a case has been allotted is unavailable and the issue relates to matters within the powers and responsibilities of the domestic commissioner.

m) Fine and punish for contempt of court in the same manner as a district court judge, as set forth in La. C.C.P. Arts. 221 through 227, when the allegedly contumacious conduct relates to a matter within the powers and responsibilities of the domestic commissioner, including finding of contempt before a hearing officer, as set forth herein.

n) Sign all orders pertaining to the duties enumerated above.

4. Limited Powers

Pursuant to La. R.S. 13:717(F) the powers of the domestic commissioner are limited to those specifically enumerated herein. Nothing herein shall diminish the powers of the district court.

5. Signing of Orders

The commissioner shall be available, from 9:00 a.m. to 4:30 p.m. with one and one-half (1½) hours for lunch, for the signing of all orders allowed under these powers.

C. Domestic Hearing Officers

1. Appointment of Domestic Hearing Officers

There is hereby established the position of domestic hearing officer for the 24th Judicial District Court pursuant to La. R.S. 46:236.5. There shall be one or more domestic hearing officers to hear matters as set forth herein. The domestic hearing officers shall be appointed by the 24th Judicial District Court en banc and serve at the pleasure of the court.

2. Qualifications

a) The domestic hearing officer shall be a full-time or part-time employee of the court and shall be a member in good standing of the Louisiana State Bar Association who has practiced law for a minimum of five (5) years in a practice in which at least fifty (50%) percent of his or her case load involves domestic cases. This qualification does not apply to presently appointed hearing officers.

b) The domestic hearing officers shall be prohibited from appearing or practicing before the 24th Judicial District Court or the Jefferson Parish Juvenile Court. Domestic hearing officers shall additionally be prohibited from handling any domestic law or domestic abuse matters in the State of Louisiana. This prohibition shall not be construed to create a conflict of interest within the meaning of the Rules of Professional Responsibility for a law firm in which a domestic hearing officer may be a member, partner or associate.

c) Other than the restrictions listed in (b) above, the domestic hearing officers shall be allowed to practice law, but such practice shall not interfere with their job duties and responsibilities as domestic hearing officer. Full time hearing officers are paid for seven (7) hours of work per day.

3. Compensation

The court en banc shall fix the salary or salaries of the hearing officers and any other personnel hired or employed to implement this procedure.

4. Purpose

The domestic hearing officer position is created to facilitate an expedited process, for the handling of domestic matters including divorce and all issues ancillary to a divorce proceeding pursuant to La. R.S. 46:236.5.

5. Powers and Responsibilities

a) The domestic hearing officers shall have authority to perform and shall perform any and all duties assigned by the

court en banc which are consistent with La. R.S. 46:236.5 (C) (1) (2) (3) (4) and (5).

b) The domestic hearing officer shall act as a finder of fact and shall hear and make written recommendations to the court concerning any domestic matters, including but not limited to the following:

i. All issues which are ancillary to a domestic proceeding, including but not limited to:

a. use and occupancy of movables and immovables;

b. establishment, modification and method of collection of spousal support;

c. injunctive relief, except pursuant to La. R.S. 9:361 and 9:372 where there is an allegation of domestic abuse, fear for safety or imminent danger, La. C.C.P. Art. 3601 et seq., La. R.S. 46:2131, et seq., or La. R.S. 13:4248, or any motion to modify or dissolve an existing Louisiana Uniform Abuse Prevention Order;

d. community property;

ii. All child-related actions in marital and non-marital cases, except issues concerning emancipation of minor children, domestic abuse and non-emergency UCCJA, including but not limited to:

a. establishment, modification and method of collection of child support;

b. hear all stand-alone non-support matters (allegations of back due child support which have previously been set when there is no motion to modify child support pending).

c. establishment, modification and enforcement of child custody and visitation;

d. contested and uncontested paternity issues;

iii. Contempt;

iv. In cases in which a domestic abuse issue is pending or in which there has been a finding of domestic abuse, the defendant or adjudicated abuser may not appear before the domestic hearing officer during the period in which the abuse petition is pending or the protective order is in effect. In those cases the domestic commissioner will address the issues normally heard by the domestic hearing officer pursuant to this Appendix.

c) In connection with his or her powers and responsibilities the hearing officer may:

i. Administer oaths and affirmations;

ii. Compel the attendance of witnesses and issue subpoenas;

iii. Recommend blood and tissue tests for the determination of paternity in accordance with R.S. 9:396 et seq.;

iv. Recommend the referral of parties to mediation, medical and psychological evaluation, and drug testing in accordance with R.S. 9:306 and 331 et seq., and make recommendations regarding the referral of parties to counseling and substance abuse treatment;

v. Recommend the appointment of special masters, accountants, other financial experts, real estate agents, appraisers of movables and immovables and other experts as deemed necessary;

vi. Hear and make recommendations on default orders or rules to show cause, if the absent party does not respond to notice;

vii. Hear and make recommendations on the punishment by the commissioner or court for constructive contempt of an order of the court, commissioner, or hearing officer;

- viii. Issue bench warrants for the failure to respond to summons, or appear at hearings, or produce documents; as ordered by the hearing officer;
- ix. Prepare a suggested scheduling order where appropriate;
- x. Accept voluntary acknowledgments of support liabilities and stipulated agreements setting forth the amount of support to be paid;
- xi. Sign and issue all rules nisi, orders to appear and show cause, and other orders necessary to the performance of the duties of the office;
- xii. Prepare consent judgments, where appropriate, following the domestic hearing officer conference for immediate signature by all parties and the domestic commissioner;
- xiii. Schedule additional conferences, hearings, rule dates as necessary.

II. FAMILY LAW PROCEEDINGS: HEARING OR TRIAL DATE BEFORE THE DISTRICT COURT

1. The District Court

All domestic matters shall be heard by the district judge to whom the case is allotted in a timely manner, unless the matter is resolved before the domestic commissioner or the domestic hearing officer as provided for in these rules.

a) Objections to Orders. A party shall have five (5) days from the receipt of the order, ruling, or judgment of the domestic commissioner to file a written objection to said order, ruling or judgment. Thereafter, the order, ruling or judgment of the domestic commissioner shall become the order, ruling or judgment of the court pursuant to La. R.S. 13:717.

i. Rendition of the judgment in open court constitutes notice to all parties present. La. C.C.P. Art. 1914.

ii. If neither a party nor counsel is present, the objection shall be filed within five (5) days from the date of receipt of the judgment or order. Notice of the signing of the judgment or order shall be reduced to writing, filed in the record, and mailed in conformity of La. R.S. 13:717.

b) At the time an objection from an order, ruling, or judgment of the domestic commissioner is filed, the clerk of court shall endeavor to set a hearing or trial date on the docket of the district judge to whom the case was allotted within not less than thirty (30) nor more than thirty-five (35) days where an earlier date is not required by law, or these rules. When the matter was previously set on the district court's docket upon filing of the original pleading in question, the objection shall be heard on the district court's docket as originally set.

In the case of an emergency, the district judge to whom the case was allotted shall address the matter immediately; if that judge is truly unavailable, the duty judge shall address the matter immediately.

c) If the hearing date before the district judge has not already been set, notice of said hearing date with the pleading shall be mailed or served in conformity with La. C.C.P. Art. 1313 et seq. upon the parties or counsel at the same time as service of the objection unless notice was given in open court or waived by both parties.

d) Any party who is aggrieved by a judgment entered by a district judge on objection from a decision of the domestic commissioner may appeal or take a writ from that judgment in the same manner as any other judgment entered by a district court.

2. The Domestic Commissioner

a) At the time a petition, motion, or rule to show cause is filed in which an issue exists which is within the authority and responsibility of both the district court and the domestic commissioner, the clerk of court shall endeavor to set

the matter, except as listed below, on the docket of the domestic domestic commissioner within not less than thirty (30) nor more than thirty-five (35) days of filing where an earlier, or later, date is not required by law. Exceptions may be set for hearing by motion of the exceptor prior to the scheduled hearing before the domestic commissioner.

b) The clerk of court shall endeavor to set a hearing or trial date before the district court division to whom the case is allotted for not less than forty (40) nor more than fifty-five (55) days following the filing of the original pleading in question, unless a shorter, or longer, period is required by law.

i. In the case of an emergency, the domestic commissioner to whom the case was allotted shall hear the matter without delay. If that domestic commissioner is truly unavailable, the other domestic commissioner, the district judge to whom the case is allotted, or the duty judge, in that order, shall hear the matter without delay. In the case of an objection to a ruling of the domestic commissioner, in an emergency matter, the district court shall hear the matter without delay.

ii. All initial pleadings filed pursuant to the Domestic Abuse Assistance Act, the Post-Separation Family Violence Relief Act, and motions for Uniform Abuse Prevention Orders shall be set at the time of filing on the docket of the domestic commissioner to be heard within the delays allowed by law.

iii. All initial actions to compel or enforce discovery shall be set for hearing on the docket of the domestic commissioner in not less than thirty (30) days nor more than thirty-five (35) days, unless an earlier, or later, date is required by law. Discovery motions may be heard on an earlier date if the domestic commissioner's docket can accommodate it.

c) A party who objects to a judgment or order of the domestic commissioner on matters set forth in these rules shall file a written objection as set forth in this Appendix.

3. The Domestic Hearing Officers

a) At the time a pleading is filed in which an issue exists which is within the authority and responsibility of both the district court or the domestic commissioner and the hearing officer and requiring a domestic hearing officer conference, the clerk of court shall endeavor to set a domestic hearing officer conference date before the hearing officer in not less than thirty (30) nor more than thirty-five (35) days of the date of filing, unless an earlier, or later, date is required by law.

b) The clerk of court shall endeavor to set a hearing or trial date before the court or domestic commissioner to whom the case was allotted in not less than forty (40) nor more than fifty-five (55) days following the filing of the pleading, unless an earlier, or later, date is required by law, as set forth in this Appendix.

c) A *Notice of Hearing Officer Conference and Notice of Hearing Date of Suit* (below), an Appendix 23.0D *Hearing Officer Conference and Information Order*, and an Appendix 23.0B *Family Law Affidavit* shall be served upon opposing counsel or defendant in rule if there is no counsel of record at the same time as service of the pleading.

NOTICE OF HEARING OFFICER CONFERENCE AND NOTICE OF HEARING DATE OF SUIT

TO:

Versus

24th Judicial District Court

Case Number:

Division:

Parish of Jefferson, Louisiana

RULE SET BEFORE: HEARING OFFICER: _____
DOMESTIC COMMISSIONER: _____
JUDGE: _____

In the above-numbered and entitled case in which you are a party or attorney for plaintiff or defendant, the following rule(s) have been filed:

A Hearing Officer Conference has been set before the above named Hearing Officer at the Thomas F. Donelon Building, 200 Derbigny Street, Gretna, Louisiana on the ____ day of _____, 20____ at ____ a.m./p.m. on all issues in the above -captioned matter.

In the event that an objection is made to the Hearing Officer's recommendation, the said case has been set for a hearing before the District Judge or Domestic Commissioner (circle one) on these objections together with the non-support related issues on the ____ day of _____, 20____ at ____ a.m./p.m.

Deputy Clerk of Court
Parish of Jefferson

****NOTICE****

FAILURE TO APPEAR AND/OR COMPLY WITH THE HEARING OFFICER CONFERENCE ORDER MAY RESULT IN AN ORDER ADVERSE TO YOUR INTEREST AND/OR SUCH OTHER ACTION AS THE COURT MAY DEEM APPROPRIATE.

IN THE EVENT OF A SETTLEMENT OR DISMISSAL OF THESE ISSUES, YOU MUST NOTIFY THE OFFICE OF THE HEARING OFFICER IMMEDIATELY AT 364-3869 AND THE OFFICE OF THE JUDGE ASSIGNED TO THE CASE.

COMPLIANCE WITH ATTACHED ORDER IS MANDATORY

i. The defendant in rule shall be served by the sheriff or in accordance with Louisiana law (La. C.C.P. Arts. 1313, 1314).

ii. The *Notice of Hearing Officer Conference and Notice of Hearing Date of Suit* (above), the Appendix 23.0D *Hearing Officer Conference and Information Order*, and the Appendix 23.0B *Family Law Affidavit* will be mailed by the clerk of court to the plaintiff/mover unless plaintiff, counsel or counsel's representative received these documents from the clerk by hand on date of filing.

iii. The Appendix 23.0B *Family Law Affidavit* shall be completed and delivered to the opposing party and to the hearing officer not later than five (5) days, exclusive of weekends and legal holidays prior to the domestic hearing officer conference.

d) Upon filing of all pleadings in any ongoing matter within the authority and responsibility of the domestic hearing officer, the clerk of court shall deliver to the plaintiff and the defendant a *Notice of Hearing Officer Conference and Notice of Hearing Date of Suit*, an Appendix 23.0D *Hearing Officer Conference and Information Order*, and an Appendix 23.0B *Family Law Affidavit* by the means described above.

i. A new affidavit and statement of income and expenses must be completed in any cases in which there are changes in the answers to the questions asked in the affidavit or statement of income and expenses.

ii. The Appendix 23.0B *Family Law Affidavit* shall be completed and delivered to the opposing party and to the hearing officer not later than five (5) days, exclusive of weekends and legal holidays prior to the domestic hearing officer conference.

e) A party shall have five (5) days from the receipt of the recommendation or order of the domestic hearing officer to file a written objection to said recommendation or order. Thereafter, the recommendation of the domestic hearing officer shall become the judgment of the court. The objecting party shall file a memorandum on the law and facts with the district court judge within five (5) working days of the date the objection is filed.

i. Presentation of the recommendation or order to the parties and/or counsel at the hearing officer conference constitutes notice to all parties present.

ii. If neither the party nor that party's attorney is present, the objection shall be filed five (5) days from receipt of the recommendation or order. Notice of the signing of the recommendation or order shall be mailed in conformity with La. C.C.P. Art. 1313. Receipt is presumed five (5) days after mailing.

iii. The court or domestic commissioner shall hear the objection to the hearing officer recommendation or order on the date previously set pursuant to this Appendix.

f) Any party who is aggrieved by a judgment entered by a district judge on appeal from an objection from a recommendation of the domestic hearing officer may appeal or apply for a writ from that judgment in the same manner as any other judgment entered by a district court.

4. Hearing matters timely

Any matters within the powers and responsibilities of the domestic commissioner or the domestic hearing officer which cannot be heard in a timely manner or within the delays prescribed by law or the rules of court shall be heard in a timely manner and within the delays prescribed by law or the rules of court by the judge of the division to whom the case was allotted. In case of emergency where the district judge to whom the case was allotted is truly unavailable, by the duty district judge.

24th JDC -- Comment

The language "[t]he objecting party shall file a memorandum on the law and facts with the district court judge within five (5) working days of the date the objection is filed" that appears in Rule 24.0(A)(3)(e) is new. It was adopted August 30, 2006. It became effective on January 1, 2007.

III. THE DOMESTIC HEARING OFFICER

The Domestic Hearing Officer

The domestic hearing officers shall perform hearing officer conferences on all matters set forth in Part I, Section (E)(5) of the 24th J.D.C.'s entry in Appendix 32.0B ("Family Law Proceedings: Hearing or Trial Date Before the District Court") of these rules including but not limited to all spousal and child support matters, except in cases where there is an unresolved allegation or finding of domestic abuse as defined in Part I, Section (E)(5)(b)(i) and (ii) of the 24th J.D.C.'s entry in Appendix 32.0B ("Family Law Proceedings: Hearing or Trial Date Before the District Court") of these rules.

Forms Required

1. At the time a petition, motion, or rule to show cause is filed in which an issue exists which is within the authority and responsibility of the domestic hearing officer both the petitioner and the opponent

will receive, from the clerk of court, the forms set forth in Part II, Section 3 of the 24th J.D.C.'s entry in Appendix 32.0B ("Family Law Proceedings: Hearing or Trial Date before the District Court") which must be addressed/and or completed in accordance with the instructions contained in Part II.

2. The domestic hearing officer may at any time order the submission of additional relevant information and may order the submission of a pre-trial order, or a memorandum of fact or law.

Scheduling Hearings and Trials; The Order of Business

1. At the time a petition, motion, or rule to show cause is filed in which an issue exists which is within the authority and responsibility of the domestic hearing officer, the clerk of court shall schedule these matters in conformity with Part II of the 24th J.D.C.'s entry in Appendix 32.0B ("Family Law Proceedings: Hearing or Trial Date before the District Court") of these rules.
2. Notice of the domestic hearing officer conference, and ensuing hearing or trial date shall be served with the pleading to the defendant, counsel for the opponent, or unrepresented parties at the same time as service of the petition, motion, or rule to show cause.
3. The domestic hearing officer conferences shall be scheduled in conformity with the 24th J.D.C.'s entry in Appendix 24.7B ("Order of Business") and Part II, Section 3 of Appendix 32.0B.
4. Notice of any hearing, rule, or trial will be given in conformity with the Louisiana Rules of Civil Procedure and these rules.
5. The initial exchange of information will occur as set forth in Section III, above, and District Court Rule 23.0. Subsequent discovery will be governed by the Louisiana Code of Civil Procedure and as ordered by the hearing officer, domestic commissioner, or the district court as permitted by the Louisiana Code of Civil Procedure and these rules.

APPENDIX 33.0: COURT-SPECIFIC RULES CONCERNING OBJECTIONS TO RECOMMENDATIONS OF HEARING OFFICERS IN TITLE IV-D MATTERS

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING OBJECTIONS TO RECOMMENDATIONS OF HEARING OFFICERS IN TITLE IV-D MATTERS
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>In Child Support Enforcement Proceedings (Title IV-D, Non-Support), the Court shall assess, as authorized by law, an additional five percent (5%) to each support obligation, including existing arrearages, as well as ongoing support payments.</p> <p>All parties in all Child Support Enforcement (Title IV-D, Non-Support) cases are responsible for notifying the Court in writing through the Regional Support Enforcement Services Office of any change of address or place of employment.</p>
24 th J.D.C.	Jefferson Parish	<p align="center">FIXING CHILD SUPPORT</p> <p>A. Title IV–D AFDC and non–AFDC (Social Security Act) cases are generally handled by the Jefferson Parish District Attorney by contract or the Regional Office of the La. Dept. of Social Services through the Jefferson Parish Juvenile Court.</p> <p>B. Any written stipulation or judgment involving child support shall conform with La. R.S. 9:313. Any judgment of child support shall also be accompanied by the State Registry Data Form.</p> <p align="center">AFDC PATERNITY SUITS</p> <p>Title IV-D AFDC paternity suits are generally handled by the Jefferson Parish District Attorney’s Office by contract or the Regional Office of the Department of Social Services in the Jefferson Parish Juvenile Court.</p> <p align="center">CRIMINAL NON-SUPPORT</p> <p>Criminal non-support matters are generally handled through the Jefferson Parish District Attorney’s Office in Jefferson Parish Juvenile Court.</p>

APPENDIX 34.0: COURT-SPECIFIC RULES CONCERNING HEARING OFFICER PROCEDURES FOR DOMESTIC VIOLENCE PROTECTIVE ORDERS

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING HEARING OFFICER PROCEDURES FOR DOMESTIC VIOLENCE PROTECTIVE ORDERS
4 th J.D.C.	Ouachita and Morehouse Parishes	<p>I. Requesting Protective Orders</p> <p>Protective Orders pursuant to Title 46 or LSA R.S. 9:371 or 9:361 may be requested either by:</p> <p>A. filing a petition using a Louisiana Protective Order Registry form, which may be obtained from the Family Justice Center located at 620 Riverside Drive, Monroe, Louisiana, from the Office of the Ouachita Parish District Attorney, or from the Louisiana Protective Order Registry Home page located at http://www.lasc.org/court_managed_prog/lpor.asp; or</p> <p>B. incorporating a request for a Protective Order into a petition seeking other relief ancillary to a divorce proceeding. A temporary restraining order form, which can be found at the same website, must be completed and submitted with the petition seeking such relief.</p> <p>II. Domestic Violence Protective Orders; Hearing Officers Authorized to Hear</p> <p>A. Pursuant to LSA R.S. 46:2135 and R.S. 46:236.5, Title 9 of the Louisiana Children’s Code and the Louisiana Code of Civil Procedure, the Court hereby authorizes the Hearing Officer(s) to hear and dispose of all matters pertaining to Protective Orders (except contempt of court) in Ouachita Parish and Morehouse Parishes as authorized by said statutes.</p> <p>B. The Hearing Officer(s) shall hear all Protective Order rules in Morehouse and in Ouachita in such courtroom and on such date as may be specified in the order.</p> <p>C. Any party desiring to appeal the Hearing Officer’s recommendations shall immediately notify the deputy clerk of court present in the courtroom. Both parties shall remain in the courtroom until notified of the date and place of the rehearing before the district judge. The rehearing shall be held before the judge to whom the case is assigned on the earliest convenient date, but in any event, within thirty days of the objection.</p> <p>Where an objection is made, the temporary restraining order shall be extended until the date of the rehearing.</p> <p>D. It is intended that the Hearing Officer(s) shall fully exercise all powers and authority granted by law in connection with protective orders, and nothing herein shall be construed to limit those statutory powers.</p> <p>E. An attorney shall not give counsel or countenance to a domestic client to file for a pro se protective order under Titles 9 or 46 of the Louisiana Revised Statutes, nor the Louisiana Children’s Code, nor the Louisiana Code of Civil Procedure article 3601 et seq, in an attempt to circumvent normal docketing time lines or the random allotment of cases. If the conduct prohibited in the first sentence of this paragraph occurs, the court shall either dismiss the pro se proceeding or shall consolidate the pro se proceeding with the Article 102 or</p>

		103 divorce proceeding.
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p>A. In accordance with C.C.P. Art. 3607.1, all temporary restraining orders, protective orders, and judgments containing orders of protection issued pursuant to any motion, rule, petition for protection, reconventional demand, as well as motions to modify, dissolve, or dismiss orders or judgments, shall be submitted to the Court on the Uniform Abuse Prevention Order forms mandated by law. Copies of these forms may be obtained from the Parish Clerk of Court or the Louisiana Protective Order Registry, 1555 Poydras Street, Suite 1540, New Orleans, Louisiana 70112-3701; www.lpor.org.</p> <p>B. An ordinary proceeding may be combined with summary proceedings that seek protective or injunctive relief from domestic violence as long as the court has jurisdiction, venue is appropriate for both proceedings, and all of the actions cumulated are mutually consistent and observe the necessary delays required by law. The Court may require separate trials of the actions. If the custody or visitation of minor child(ren) is at issue, the parties shall each file the <i>Mandatory Affidavit for Child Custody/Visitation Matters</i>:</p> <p style="text-align: right;">15th JUDICIAL DISTRICT</p> <p>_____ COURT VERSUS _____</p> <p style="text-align: right;">DOCKET NO.: _____ PARISH, LOUISIANA</p> <p>***** *</p> <p style="text-align: center;">MANDATORY UCCJEA AFFIDAVIT FOR CHILD CUSTODY/VISITATION</p> <p>I, (full name) _____, swear that the following statements are true: Name, birth date and sex of each child who is involved in this court case only: Name: _____ Date of Birth: _____ Male / Female Name: _____ Date of Birth: _____ Male / Female Name: _____ Date of Birth: _____ Male / Female Name: _____ Date of Birth: _____ Male / Female Name: _____ Date of Birth: _____ Male / Female</p> <p>Where are the child(ren) living today? _____</p> <p>(1) List all parishes/counties & states where the child(ren) have lived in the past five (5) years: Parish/County: State or Country: When child(ren) lived there: _____ _____ _____</p> <p>(2) List all persons other than you with whom the child(ren) have lived in the past five (5) years: Name: Address: Relationship: _____ _____ _____</p> <p>(3) Have the child(ren) ever been the subject of any of the following kinds of cases?</p>

If yes, check below:

Divorce/Separation _____ Juvenile Court _____
Custody/Visitation _____ Child Protection _____
Child Support _____ Abuse/Neglect _____
Paternity _____ Parental Rights Termination _____
Protective Order _____ Adoption _____
Restraining Order _____ Other _____

(4) If you checked yes to # 3 above, answer the following:

A. _____ Name _____ of _____

Child(ren): _____

B. Type of Proceeding (custody, visitation, paternity, OCS, protective order, etc.) _____

C. Court, Parish/County & State: _____ Docket No.: _____

D. Case is still open/on-going: _____ Case is not open/on-going: _____

(5) If you know of any person NOT a party to this proceeding who has physical custody or claims to have custody/visitation rights to a child(ren) listed above, please provide the following:

Name: _____

Address _____ of _____ Person: _____

I HEREBY ACKNOWLEDGE that I have a continuing duty to advise this Court of any proceeding concerning the child(ren) in this state or any other state which may affect the outcome of this proceeding. I further understand that if I knowingly swear or affirm falsely that the punishment may include fines and imprisonment.

Sworn to and Subscribed before me on this _____ day of _____, 20____.

Notary Public

(Sign Your Name)

(Print Your Name)

(Your Address)

C. A petition for divorce, separation or annulment of marriage, or a custody proceeding that is filed subsequent to a petition under the Domestic Abuse Assistance Act, Post-Separation Family Violence Relief Act, or Protection from Family Violence Relief Act shall be filed under the earlier domestic violence docket number. In the event the suit for annulment, divorce and separation does not involve minor children born of, adopted or legitimated by the marriage, the suit shall be filed under the earlier domestic violence docket number and shall be randomly re-allotted to Divisions "A", "B", "C", "D", "E", "F", "G", "I", "J", "K" or "L". Likewise, if a suit for divorce or custody is pending, any application for a protection order shall be filed under that earlier docket and shall be heard within the delays required by law.

D. A request for injunctive relief pursuant to R.S. 9:372 or 9:372.1, being incidental

		<p>to a proceeding for divorce, shall be pled with the divorce and the relief expressly continued or obtained in the divorce decree. Only the relief granted pursuant to R.S. 9:372 shall be submitted on the Uniform Abuse Prevention Order form.</p> <p>E. A Hearing Officer Conference shall be scheduled with the Hearing Officer, who shall determine the issues of the case and in conjunction therewith, shall hear and make recommendations regarding all protective orders filed in accordance with R.S. 46:2131 et seq., R.S. 46:2151 et seq., and on all injunctions filed in accordance with R.S. 9:361, 371, and 372; and hear and make recommendations on all motions for contempt of court and motions to extend, modify, or dissolve protective orders and injunctions. There will be no court reporter present and no record made of the proceeding. The only record will be a minute entry by the minute clerk. The Hearing Officer shall initially make the recommendation orally and the parties shall assent or object to the recommendation at the conclusion of the hearing. If there is no objection the Hearing Officer shall prepare a written recommendation and a proposed Protective Order judgment on the appropriate LPOR form which shall be reviewed and signed by the parties prior to its submission to the appropriate judge for signature. If either party objects, the Hearing Officer shall prepare a written recommendation without preparing a recommended Protective Order judgment and the matter shall be fixed on the docket of the appropriate division for the matter to be heard de novo.</p> <p>F. Parties, who seek to dismiss their petition for a domestic violence protective order, may be required to appear before the court prior to dismissal.</p>
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">DOMESTIC VIOLENCE PROTECTIVE ORDERS</p> <p>Section 1. The forms, notices and orders required by La. R.S. 46:2131 et seq., and specifically, R.S. 46:2138 are available in the office of the Clerk of Court.</p> <p>Section 2. On petitions for protective orders, whether in conjunction with any other pleading or separate from any other action, the Court will accept ONLY those forms designated and approved and made available by the Clerk of Court, or an exact duplicate as mandated by law. Copies of forms may be obtained from the Clerk of Court, the Louisiana Protective Order Registry, 1555 Poydras Street, Suite 1540, New Orleans, LA, 70112-3701 or its web site at http://www.lajao.org.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>The Protective Order Appeal Docket shall be assigned to Divisions K and L on a random basis. All Protective Order Petitions will be assigned to the Commissioner's Docket.</p> <p>Protective Orders, or pleadings seeking a Protective Order, are allowed to be walked through without prior approval of the Judge, but must first be presented to the Clerk of Court's protective order personnel prior to walk through.</p>
24 th J.D.C.	Jefferson Parish	<p style="text-align: center;">FORMS, NOTICES AND ORDERS REQUIRED</p> <p>A. Any petition, motion, rule to show cause or application for a temporary restraining order, preliminary injunction or permanent injunction filed pursuant to La. R. S. 9:361, 9:372 (unless filed incidental to divorce where there is no allegation of domestic abuse, fear for safety or imminent danger), La. C.C.P. Art. 3601 et seq., La. R.S. 46:2131, et seq., or La. R.S. 13:4248, or any motion to modify or dissolve an existing Louisiana Uniform Abuse Prevention Order, shall:</p> <ol style="list-style-type: none"> 1. Include a legible and fully completed Louisiana Uniform Abuse Prevention Order in a form approved by the Louisiana Protective Order Registry and prepared for the signature of the presiding judge.

		<ol style="list-style-type: none"> 2. Be heard by the domestic commissioner within the delays allowed by law. 3. Be signed by the domestic commissioner or the district judge on Louisiana Protective Order Registry form orders. 4. Be forwarded by the clerk of court to the Louisiana Protective Order Registry no later than the end of the next business day after the order is signed. <p>B. Objections to a judgment or order of the domestic commissioner shall be filed in conformity with the procedure set forth in the 24th J.D.C.'s Appendix 32.0B. If the district judge to whom the case is allotted is unavailable during the delays allowed by law, the matter shall be heard by the district judge, <i>on duty at the time the hearing occurs</i>, within the delays allowed by law.</p> <ol style="list-style-type: none"> 1. If all parties are present before the domestic commissioner, the objection shall be filed within five (5) days of receipt of the judgment or order. 2. If a party is not present before the domestic commissioner, the judgment or order shall be reduced to writing and filed in the record, and the objection shall be filed within five (5) days of notice of the judgment or order as issued by the clerk of court.
27 th J.D.C.	St. Landry Parish	In accordance with La. R.S. 46:2136.2(C), and all other laws regarding protective orders, all temporary restraining orders, protective orders and judgments containing orders of protection issued pursuant to any motion, rule, petition or reconventional demand, as well as motions to modify, dissolve or dismiss said orders or judgments, shall be submitted to the Court on the forms mandated by law. Copies of forms may be obtained from the Clerk of Court or the Louisiana Protective Order Registry, 1555 Poydras Street, New Orleans, LA, 70112 3701 or its website at http://www.lasc.org .

APPENDIX 34.2: COURT-SPECIFIC RULES CONCERNING OBJECTIONS TO RULINGS OF HEARING OFFICER OR DOMESTIC COMMISSIONER; TIME FOR FILING

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING OBJECTIONS TO RULINGS OF HEARING OFFICER OR DOMESTIC COMMISSIONER; TIME FOR FILING</u>
24 th J.D.C.	Jefferson Parish	Objections to intrastate registration of support orders for modification and enforcement pursuant to La. C.C.P. Art. 2785 et seq. shall be set on the docket of the domestic commissioner pursuant to Appendix 32.0B. Objections to the domestic commissioner's ruling also shall be made in conformity with Appendix 32.0B.

APPENDIX 35.1: COURT-SPECIFIC RULES CONCERNING FAILURE TO TIMELY COMPLY WITH HEARING OFFICER CONFERENCE AND INFORMATION ORDER AND FAMILY LAW AFFIDAVIT

COURT	PARISHES	JDC-SPECIFIC RULES CONCERNING FAILURE TO TIMELY COMPLY WITH HEARING OFFICER CONFERENCE AND INFORMATION ORDER AND FAMILY LAW AFFIDAVIT
24 th JDC	Jefferson Parish	<p>A. If one party does not provide the necessary financial information for the hearing officer to make a determination as to the amount of child or spousal support, the hearing officer shall have the authority, within his or her discretion, to set an interim child support amount based upon the financial information provided by the other party. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either party, except as precluded by law.</p> <p>B. An interim order shall be without prejudice to either party in subsequent proceedings.</p> <p>C. Prior to a hearing with the district court, if there is a material change in circumstances and either party or counsel believes such change would justify a modification of the interim order, a new meeting with the hearing officer may be scheduled on the motion of any party provided there is sufficient time in which to do so. The motion shall specifically set forth the alleged change in circumstances.</p> <p>D. Unless ordered by the district judge, in cases of demands for final spousal support, the hearing officer will not consider or make recommendations with respect to final spousal support until a determination of fault is made by the district judge.</p>

APPENDIX 35.5: COURT-SPECIFIC RULES CONCERNING OBJECTIONS TO HEARING OFFICER RECOMMENDATIONS AND JUDGMENTS OF DOMESTIC COMMISSIONER

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING OBJECTIONS TO HEARING OFFICER RECOMMENDATIONS AND JUDGMENTS OF DOMESTIC COMMISSIONER
1 st J.D.C.	Caddo Parish	The delay for filing of an exception to the findings of fact or law of the hearing officer shall commence running at 5:00 p.m. on the date of the issuance of the findings of fact or law.
4 th J.D.C.	Morehouse and Ouachita Parishes	<p>A. A party’s objection shall be directed to specific recommendations and shall provide legal and/or factual basis for the objection.</p> <p>B. A party filing an objection shall be obligated to provide the Hearing Officer and all parties with a copy of the objection. The objecting party shall provide a copy of the objection to all parties at the same time and in the same manner in which said objection was delivered to the Clerk of Court, or in a manner which is the functional equivalent thereof. Thus, if an objection is hand delivered to the Clerk of Court, all parties are entitled to receive a copy of same at the same time or earlier by hand delivery or its functional equivalent, such as by facsimile transmission.</p> <p>C. If one party files an objection on the last day on which an objection may be filed, and the other party has not yet filed an objection, the party which did not file an objection within the time limit allowed shall have three (3) additional days, exclusive of weekends and legal holidays, within which to file a written objection. This shall not be construed to allow a party which has already filed an objection to amend or supplement the objection which has been filed.</p> <p>D. Any objection not timely filed in accordance with the above provisions shall be subject to ex parte dismissal by the court, on the court’s own motion.</p> <p>E. If a party files a written objection, said party must also provide to opposing counsel the name, address, and telephone number of each witness who may be called at the hearing held in regard to the objection, and must provide to opposing counsel a copy of each exhibit that might be introduced at said hearing, all within five (5) days after filing the written objection, exclusive of weekends and legal holidays. The opposing party must provide that same information within five (5) days, exclusive of weekends and legal holidays, of the receipt of the witness and exhibit lists from the objecting party.</p>

		<p>No witness may testify at the hearing and no written document may be introduced at the hearing unless there has been compliance with these disclosure requirements, unless the court finds good cause for the noncompliance with the disclosure requirements and the presentation of such evidence is required to prevent manifest injustice.</p> <p>F. A party who, after having been duly cited and served with process, fails to appear or remain for the duration of a Hearing Officer Conference waives the right to file an objection to the recommendations contained in the Hearing Officer Conference Report, unless the Hearing Officer has excused the failure to appear or to remain for the duration of the Hearing Officer Conference.</p> <p>G. Abandonment of Hearing Officer Conference Objections</p> <ol style="list-style-type: none">1. Upon the filing of any objections, if no trial or hearing date is pending, or the case is thereafter continued without date, it shall be the responsibility of the objecting party or parties to file an appropriate pleading requesting a trial or hearing date with the assigned judge no later than 90 days after filing of the objections or the continuance of the case without date, or the objections will be deemed abandoned and will be dismissed without prejudice (Cf. L.C.C.P. Art. 561) and the report and recommendations of the hearing officer will be adopted as the judgment of the court.2. If the trial or hearing is thereafter continued, it must be continued to a date certain, and may not be continued without date except for good cause shown as determined by the assigned judge. <p>H. Abandonment of Hearing Officer Conference Objections</p> <ol style="list-style-type: none">1. If all or part of the recommendations contained in the Hearing Officer Conference Report are not objected to in writing with the Clerk of Court within the delays provided in these rules, then those recommendations contained in the Hearing Officer Conference Report which are not objected to may be adopted by the Court.2. The Hearing Officer shall be responsible for submitting an appropriate judgment or order which accurately incorporates the recommendations into the form of a judgment or order, and shall attach a copy of the Hearing Officer Conference Report to the proposed judgment or order. <p>I. Adoption of Hearing Officer Recommendations as Interim Order after Objection</p> <p>If any recommendation of the Hearing Officer in the Hearing Officer Conference Report is objected to as provided by these rules, then the recommendation may</p>
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		<p>become an interim order, upon approval and execution of the presiding Judge, pending the final disposition of the claims by the Court. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. It shall be the responsibility of the Hearing Officer to prepare the appropriate judgment or order for presentation to the presiding Judge for approval and execution, using 4th JDC Family Docket Form 10.0 or a substantially equivalent form.</p> <p>J. Adoption of Hearing Officer Recommendations upon Failure to Appear at Trial</p> <p>If there are no appearances by the objecting parties on the day on which the matter is scheduled for trial, then the assigned civil section judge may, in his discretion, adopt some or all of the recommendations of the Hearing Officer, using 4th JDC Family Docket Form 11.0 or a substantially equivalent form.</p>
5 th J.D.C.	Franklin, Richland, and West Carroll Parishes	<p>A. Appeal of Hearing Officer's Recommendation on Protective Orders.</p> <p>A party desiring to object to the Hearing Officer's recommendation in Protective Order Court shall immediately notify the deputy clerk of court present in the courtroom and the Hearing Officer. Both parties shall remain in the courtroom until notified of the date for the rehearing before the district judge. The rehearing shall be held before the judge to whom the case is assigned on the earliest convenient date, but in any event within thirty (30) days of the date of the objection. Where an objection is made, a new temporary restraining order and order setting the date of the rehearing shall be issued.</p> <p>B. Hearing Officer Conferences</p> <p>A party's written objections to the findings of fact or law shall be directed to specific recommendations and shall provide legal and/or factual basis for the objection. A party filing an objection shall be obligated to provide the Hearing Officer and all parties with a copy of the objection. If all or part of the Hearing Officer's recommendations are not objected to in writing, then those which are not objected to may be adopted by the Court. The District Judge to whom the case is assigned will decide the issues that are objected to, at trial.</p>
13 th J.D.C.	Evangeline Parish	<p>If the hearing officer's recommendation is objected to, then the hearing officer's recommendation becomes an interim order pending the final disposition of the claims by the Court. This interim order shall be without prejudice, effective the date of the meeting with the Hearing Officer and shall not affect the retroactivity of the claims of either side. The District Judge shall sign the interim order after review of the Hearing Officer's recommendation, and the interim order shall be</p>

		without prejudice.
14 th J.D.C.	Calcasieu Parish	The delay for filing an exception to the findings of fact or law of the hearing officer as provided by this rule run from the date of transmittal of the recommendation, if not delivered in open court at the termination of the hearing. The recommendation may be transmitted in Open Court, in Chambers, or by mail. If by mail, notice shall be added to the location where service was had. If transmitted by mail, date of transmittal is date of mailing, as reflected on the notice filed on the record.
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p>A. If any party files a timely objection to a Hearing Officer Recommendation in a matter allotted to Divisions "A", "B", "C", "D", "E", "F", "G", "I", "J", "K" and "L", then the party or parties who object to the Recommendation, or any part thereof, shall provide to the District Judge in whose Division the matter is pending, at least five (5) days prior to the hearing, a written statement of the specific issues that are to be heard. If a party objects to the Recommendation, or any part thereof, is represented by counsel, the statement of the issues shall be signed by said counsel.</p> <p>B. Any party who disagrees with a recommendation of a Hearing Officer on a matter set forth may file a written objection within the delays provided by this rule.</p> <p>C. If the parties cannot agree on the matters fixed for Hearing Officer Conference, then the Hearing Officer shall recommend a temporary order on all matters which shall be forwarded to the District Judge for consideration as a temporary order after the objection period has expired.</p> <p>D. If a written objection to the Hearing Officer recommendation is timely filed by either party, then the Hearing Officer recommendation shall be forwarded to the District Judge who may accept, reject, or modify it in whole or in part as a temporary order after the objection period has expired until a contradictory hearing can be had. Any such temporary order signed by the District Judge shall be considered interlocutory in nature.</p>
16 th J.D.C.	St. Mary, Iberia, and St. Martin	A. If any recommendation of the Hearing Officer in the Hearing Officer Conference Report is objected to as provided by these rules, then the recommendation may become an interim order, upon approval and execution of the presiding Judge, pending the final disposition of the claims by the Court. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. It shall be the responsibility of the party seeking to have the recommendations made an interim order to prepare the appropriate judgment or order for presentation to the presiding Judge for approval and

		<p>execution, but the District Judge to whom a case has been assigned may, in his or her discretion, adopt some or all of the recommendations of the Hearing Officer on the day on which the matter is scheduled for trial, if there are no appearances by any of the parties affected by the recommendations.</p> <p>B. A party's objection shall be directed to specific recommendations and shall provide a legal and/or factual basis for the objection.</p> <p>C. A party filing an objection shall be obligated to provide the Hearing Officer and all parties with a copy of the objection. If a party files an objection on the last day on which an objection may be filed in accordance with these rules, that party shall provide a copy of the objection to all parties at the same time and in the same manner in which said objection was delivered to the Clerk of Court, or in a manner which is the functional equivalent thereof. Thus, if an objection is hand delivered to the Clerk of Court on the last day, all parties are entitled to receive a copy of same at the same time or earlier by hand delivery or its functional equivalent, such as by facsimile transmission.</p> <p>D. If one party files an objection on the last day on which an objection may be filed, and the other party has not yet filed an objection, the party which did not file an objection within the time limit allowed shall have one (1) day, exclusive of weekends and legal holidays, within which to file a written objection. This shall not be construed to allow a party which has already filed an objection to amend or supplement the objection which has been filed.</p> <p>E. A party who, after having been duly cited and served with process, fails to appear or remain for the duration of a Hearing Officer Conference waives the right to file an objection to the recommendations contained in the Hearing Officer Conference Report, unless the Hearing Officer has excused the failure to appear or to remain for the duration of the Hearing Officer Conference.</p> <p>F. If all or part of the recommendation contained in the Hearing Officer Conference Report is not objected to in writing with the clerk of court within the delays provided in these rules, then those recommendations contained in the Hearing Officer Conference Report which are not objected to may be adopted by the Court and a judgment or order adopting uncontested portions of the Hearing Officer Conference Report may thereafter be presented to the court for signature by either party.</p> <p>G. A party submitting a judgment or order adopting the uncontested portions of the Hearing Officer Conference Report shall be responsible for preparing an appropriate</p>
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		<p>judgment or order which accurately incorporates the recommendations into the form of a judgment or order, and shall attach a copy of the Hearing Officer Conference Report to the proposed judgment or order.</p> <p>H. If both parties agree on some or all of the issues before the Court during the Hearing Officer Conference, the Hearing Officer shall prepare a written agreement for the review and execution of the parties and their legal counsel (if represented), together with an appropriate judgment or order incorporating and implementing the agreement of the parties. Any such agreement shall contain an acknowledgement that no objection or appeal may be filed to same. In the event the agreement is only a partial agreement, the Hearing Officer shall prepare a Hearing Officer Conference Report containing a summary of facts and a list of recommendations on those issues on which there is no agreement.</p> <p>I. The District Judge to whom a case has been assigned may, in his or her discretion, adopt some or all of the recommendations of the Hearing Officer on the day on which the matter is scheduled for trial, regardless of whether an objection has been filed, if there are not appearances by any of the parties.</p>
<p>22nd J.D.C.</p>	<p>St. Tammany and Washington Parishes</p>	<p>A. Written objections to the recommendations of the Hearing Officer shall briefly state why the recommendations are objectionable. All issues not stipulated to in the Hearing Officer Conference will be heard on the rule date.</p> <p>B. If a written objection is filed, the Hearing Officer's recommendation shall become a temporary order upon the Judge's signature, and shall remain in effect until the hearing, with the exception that a recommendation on the issues involving contempt, a change in legal custody, drug testing, substance abuse evaluation or treatment, custody evaluation, relocation, or termination of community property does not become a temporary order, but remains only a recommendation until the rule date, unless no objection is filed, in which case the recommendation becomes a final order or Judgment of the court.</p> <p>C. If a written objection is filed, it shall not be withdrawn or dismissed unless a Consent Judgment as to all pending matters is filed into the record prior to the rule date.</p> <p>D. If no objection is filed, then after the expiration of five (5) days, exclusive of legal holidays, the Hearing Officer recommendations will be presented to the District Judge for signature and will become a final judgment which shall be served upon the parties in accordance with law.</p> <p>E. Prior to the expiration of the objection period, the Hearing Officer or Judge may extend the objection period</p>

		<p>for good cause.</p> <p>F. If after an objection to the Hearing Officer recommendation is filed, the parties decide to accept the recommendation, a Consent Judgment signed by all parties and counsel of record must be submitted on or before the hearing date. If the parties do not appear on the court date and no continuance has been granted, the Hearing Officer Conference recommendation becomes a final judgment upon the Judge's signature.</p>
<p>24th J.D.C.</p>	<p>Jefferson Parish</p>	<p>A. Notice To Begin Delay To Object To Judgment, Order, or Recommendation of Domestic Commissioner or Hearing Officer</p> <ol style="list-style-type: none"> 1. Rendition of the judgment in open court constitutes notice to all parties present (La.-C.C.P. art. 1914). 2. If neither a party nor counsel is present, the objection shall be filed five (5) days from the receipt of the judgment or order. Notice of the signing of the judgment or order shall be reduced to writing, filed in the record, and mailed in conformity of La. R.S. 13:717 (domestic commissioner) and La.-C.C.P. art. 1313 (hearing officer). Receipt is presumed five (5) days after mailing. 3. Presentation of the recommendation or order to the parties and/or counsel at the hearing officer conference constitutes notice to all parties present. <p style="text-align: center;">OBJECTIONS FROM DECISION OF DOMESTIC COMMISSIONER</p> <p>B. At the time an objection from an order, ruling, or judgment of the domestic commissioner is filed, the clerk of court shall endeavor to set a hearing or trial date on the docket of the district judge to whom the case was allotted within not less than thirty (30) nor more than thirty-five (35) days where an earlier date is not required by law, or these rules. When the matter was previously set on the district court's docket upon filing of the original pleading in question, the objection shall be heard on the district court's docket as originally set.</p> <p>C. In the case of an emergency, the district judge to whom the case was allotted shall address the matter immediately; if that judge is truly unavailable, the duty judge shall address the matter immediately.</p> <p>D. If the hearing date before the district judge has not already been set, notice of said hearing date with the pleading shall be mailed or served in conformity with La. C.C.P. Art. 1313 et seq. upon the parties or counsel at the same time as service of the objection unless notice was given in open court or waived by both parties.</p>

		<p>E. Any party who is aggrieved by a judgment entered by a district judge on objection from a decision of the domestic commissioner may appeal or take a writ from that judgment in the same manner as any other judgment entered by a district court.</p> <p style="text-align: center;">OBJECTION TO FINDING OF HEARING OFFICER</p> <p>F. The objecting party shall file a memorandum on the law and facts with the district court judge within five (5) working days of the date the objection is filed.</p> <p>G. The district court judge or domestic commissioner to whom the case is allotted shall hear the objection to the hearing officer recommendation or order.</p> <p>H. Any party who is aggrieved by a judgment entered by a district judge on appeal from an objection from a recommendation of the domestic hearing officer may appeal or apply for a writ from that judgment in the same manner as any other judgment entered by a district court.</p> <p>I. The district court judge shall sign an interim judgment implementing the hearing officer recommendations pending the filing of an objection and hearing before the district court.</p>
26 th J.D.C.	Bossier and Webster Parishes	<p>A. If written objection to hearing officer findings is made, the case shall be randomly assigned and docketed.</p> <p>B. A request for appeal from the Hearing Officer's recommendation on a restraining order or protective order shall be made immediately, in open court, and shall be placed on the next available docket before the District Court.</p> <p style="text-align: center;">Comment</p> <p>Source of content of this Appendix is former Title IV, 26th J.D.C. Rule 35.0.</p>
27 th J.D.C.	St. Landry Parish	<p>If the hearing officer's recommendation is objected to, then the hearing officer's recommendation becomes an interim order pending the final disposition of the claims by the Court. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side.</p> <p style="text-align: center;">Comment</p> <p>Source of content of this Appendix is former Title IV, 27th J.D.C. Rule 35.0.</p>
32 nd J.D.C.	Terrebonne Parish	<p>A. Any party may take exception to the Hearing Officer's findings of fact and move for a contradictory hearing before the Judge of the appropriate Division of the Court.</p>

		<p>A written opposition to the Hearing Officer's Recommendation to the Court shall be filed within the delays provided by this rule.</p> <p>B. Upon filing a "Motion for Contradictory Hearing" opposing the Hearing Officer's Recommendation, the Court shall schedule a contradictory hearing on the Court's next available date to be held before the Judge in the appropriate division.</p>
36 th J.D.C.	Beauregard Parish	<p>Where parties have timely filed an exception to the recommendation of the hearing officer, the recommendation shall become an interim order of this court; failure to comply with the recommendations may result in such contempt proceedings as appropriate. In motion requesting rule date in the District Court, attorneys shall state the specific issues in dispute to be heard by the Court or rule date will not be assigned.</p> <p style="text-align: center;">Comment</p> <p>Source of content of this Appendix is former Title IV, 36th J.D.C. Rule 35.0.</p>

APPENDIX 35.7: COURTS WITH SPECIFIC RULES CONCERNING THE SETTING OF HEARING DATES

COURT	PARISHES	JDC-SPECIFIC RULES CONCERNING THE SETTING OF HEARING DATES

**APPENDIX 35.8: COURT-SPECIFIC RULES CONCERNING ADOPTION OF
HEARING OFFICER'S RECOMMENDATION AS TEMPORARY ORDER AFTER
OBJECTION**

COURT	PARISHES	JDC-SPECIFIC RULES CONCERNING ADOPTION OF HEARING OFFICER'S RECOMMENDATION AS TEMPORARY ORDER AFTER OBJECTION
24 th JDC	Jefferson Parish	Prior to a consent between the parties or a judicial determination of the merits of the support demand, the recommendation of the hearing officer shall be signed by the district court judge and shall be deemed an interim order for support, without prejudice to either party.