

**RULES FOR LOUISIANA DISTRICT COURTS**

**TITLES I, II, III, IV, V, and VI**

**Fourteenth Judicial District Court**

**Parish of Calcasieu**

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**Title - I**

**Chapter Title - Dates of Court**

**Chapter - 2**

Court may be held on a legal holiday when so ordered by the presiding Judge.

**Rule - 2.0**

Current information and specific court schedules can be accessed at [www.14jdc.org](http://www.14jdc.org).

**Appendix - 2.0**

Local Holidays in Addition to Legal Holidays  
Listed in La. R.S. 1:55  
See 2004 Amendment to La. R.S. 1:55(E)(1)(b) which, by reference to La. R.S. 1:55(B)(1)(a), adds Mardi Gras Day and General Election Day as legal holidays.

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**Title - I**

**Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules**

**Chapter - 3**

There are nine (9) divisions, "A" through "I", each of which was established by legislative act with corresponding election subdistricts. Effective July 1, 2019, Division "C" will be included with Divisions "A" and "I" to Family and Juvenile Court, and all family and juvenile matters are allotted to those divisions.

**Rule - 3.1**

**Appendix - 3.1**

Divisions or Sections of Court

Division "C" will retain all criminal matters presently assigned to it until January 1, 2020, at which time its criminal matters will be randomly allotted to the remaining criminal divisions. Effective July 1, 2019, all new non-domestic civil and criminal matters are allotted to Divisions "B", "D", "E", "F", "G" and "H".

Amended eff. April 1, 2008; June 1, 2008; Jan. 1, 2009; Oct. 6, 2010; amended effective October 7, 2011; amended effective January 1, 2013; amended effective January 1, 2015; amended effective January 1, 2016; amended effective July 1, 2019; amended effective March 11, 2020.

1. Pursuant to the authority of LSA-R.S. 13:5304(A), LSA-R.S. 13:5366(A), and LSA-C.Cr.P. Art. 18, Divisions "DC", "DWI", "VTC", and "BH" are hereby created and respectively designated as the 14th Judicial District Adult Drug Treatment Court ("DC"), the 14th Judicial District DWI Treatment Court ("DWI"), the 14th Judicial District Veterans Treatment Court ("VTC"), and the 14th Judicial District Behavioral Health Court ("BH"). The presiding judges of Divisions "E" and "G" will serve as the judges of Division "DC" and "DWI", the presiding judges of Divisions "E" and "F" will serve as the judges of Division "VTC", and the presiding judge of Division "D" will serve as the judge of Division "BH". Operation of the Drug, DWI, VTC, and BH Courts will be pursuant to policy and procedures set forth in the manuals for those programs and in accordance with the governing laws. If necessary and by mutual agreement of all parties, another judge may fill in for the Drug, DWI, VTC, and BH Court judges at Drug, DWI, VTC, and/or BH Court.

2. In all criminal cases other than these assigned to Division DC, DWI, VTC, or BH orders to show cause, any orders not dispositive of an issue in the case, and any order authorized by the judge to whom it is allotted, may be signed by any judge of the district.

3. Generally, arraignments in felony cases should be held in the Division to which a case is allotted, provided that the judge of any division may accept a not guilty plea in any felony or misdemeanor case though not allotted to the division of the judge accepting the not guilty plea. However, a person may only enter Drug, DWI, VTC, and/or BH Court after receiving final approval for those programs from the District Attorney and the presiding judges of those Divisions.

4. Bench warrant hearings for offenders other than those sentenced to Drug, DWI, VTC, and/or BH Court may be held before any judge unless the judge of the division to whom the case been allotted indicates on the record that the hearing is to be held in his/her division.

## MAGISTRATE JUDGE

Pursuant to the authority of LSA-R.S. 13:589, the office of Magistrate Judge of the Fourteenth Judicial District Court was established as an elected position with a corresponding election subdistrict. LSA-R.S. 13:589 also provides that the term of office shall begin January 1, 2021, for initial and succeeding terms of six years, it will be a full time position, and the magistrate judge will be prohibited from practicing law. The effective date of this rule will be the beginning of the term of the Magistrate Judge, January 1, 2021. LSA-R.S. 13:589D. provides that, “with the approval of the judges of the Fourteenth Judicial District Court, the magistrate judge may hear and preside over all criminal matters, except the adjudication of felony cases, including but not limited to ...” Therefore, pursuant to the authority set forth in LSA-R.S. 13:589D, the Court hereby designates the following non-exclusive list of duties and responsibilities of the Magistrate Judge of the Fourteenth Judicial District Court:

1. Issuing search warrants and arrest warrants, as well as the setting of bonds, in felony and misdemeanor cases.
2. Preside over felony arraignments, and traffic and misdemeanor arraignments and trials. This will be handled on the current court schedule of Monday, Tuesday and Thursday.
3. Preside over Gwen’s Law hearings.
4. Preside over Right to Counsel (RC) Court / 72 Hour Court hearings, to include Extraditions.
5. Receive the Grand Jury report(s) each week; and impaneling of the Grand Jury (Regular and Special).
6. Assist in Specialty Courts, as needed.
7. Handle preliminary felony motions, to include: writs of habeas corpus, preliminary hearings, bond reduction hearings, motions to quash, motions to suppress, and other preliminary motions that may be necessary to be heard prior to the assigned division handling the matter.
8. Handle bench warrant hearings, except for those who are required to answer in a specific division only. Also, issue bench warrants and bond forfeitures for failure to appear.
9. Handle jury excuse requests.

14th Judicial District Juvenile Court: Parish of Calcasieu

There shall be a Family and Juvenile Docket in the Fourteenth Judicial District and that Docket shall be allotted to Divisions A, C and I. Matters heard on the Family and Juvenile Court Docket shall be as follows:

- (1) Juvenile matters governed by the Louisiana Children's Code;
- (2) All proceedings for the adoption of minors, to decree minors abandoned and for the relinquishment or termination of parental rights;

### Sessions

Except when otherwise specially ordered, or as otherwise provided herein, court shall open its daily sessions at 9:00 AM. A recess shall be taken from 12:00 noon until 1:30 P.M., and court shall adjourn at 4:30 P.M.

General Motion Hour shall be held at 9:00 a.m. on Monday, Wednesday and Friday.

The Judge handling Motion Hour shall be the Duty Judge.



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**Title - I**

**Chapter Title - Court Personnel**

**Chapter - 4**

Denise Savant  
Court Administrator  
14th Judicial District Court  
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Facsimile: (337) 437-3332  
E-Mail: dsavant@14jdc.org

**Rule - 4.1**

**Appendix - 4.1**

Judicial Administrators  
and Clerks of Court

Hon. H. Lynn Jones, II  
Clerk of Court  
Parish of Calcasieu  
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Lake Charles, LA 70602  
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**Title - I**

**Chapter Title - Courtroom Use, Accessibility and Security**

**Chapter - 5**

**Rule - 5.1**

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5.1A.PDF>

**Appendix - 5.1A**

Americans with  
Disabilities Form

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**Title - I**

**Chapter Title - Courtroom Use, Accessibility and Security**

**Chapter - 5**

**Rule - 5.1**

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5.1B.PDF>

**Appendix - 5.1B**

Request for Interpreter  
and Order

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**Title - I**

**Chapter Title - Courtroom Use, Accessibility and Security**

**Chapter - 5**

**Rule - 5.1**

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5.1C.PDF>

**Appendix - 5.1C**

Interpreter's Oath

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**Title - I**                      **Chapter Title - Indigents and In Forma Pauperis**

**Chapter - 8**

**Rule - 8.0**                      <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX8.0.PDF>

**Appendix - 8.0**

In Forma Pauperis  
Affidavit

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**Title - II**                      **Chapter Title - Procedure**

**Chapter - 9**

**Rule - 9.3**

**Appendix - 9.3**

Allotments: Signing of  
Pleadings in Allotted and  
Non-Allotted Cases

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**Title - II**                      **Chapter Title - Procedure**

**Chapter - 9**

**Rule - 9.4**                      All initial pleadings must be delivered to the Clerk of Court for filing and allotment prior to presenting any order to a judge, except that initial pleadings with a pauper order should be presented to the duty judge before filing, provided that in Family Court, all initial pleadings and all pleadings requiring signing of an order should be delivered to the judges' chambers.

**Appendix - 9.4**

Presentation of Pleadings  
to the Court and Filing  
with the Clerk of Court

After allotment, a pleading with an order may be presented prior to filing to the duty judge if applicable or to the judge of the division to which the case is allotted. All pleadings filed in Drug, DWI, VTC, and/or MH Court cases must be presented prior to filing to the presiding judges of Division "DC", "DWI", "VTC", and "MH" and a copy must be sent to the assigned Drug Court, DWI Court, VTC Court, and/or MH Court Assistant DA.

Amended eff. Oct. 6,  
2010; amended effective  
June 14, 2011; amended  
effective January 1,  
2016.

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**Title - II**                      **Chapter Title - Procedure**

**Chapter - 9**

**Rule - 9.6**                      [http://www.lasc.org/rules/supreme/Louisiana\\_Civil\\_Case\\_Reporting\\_Form.pdf](http://www.lasc.org/rules/supreme/Louisiana_Civil_Case_Reporting_Form.pdf)

**Appendix - 9.6**

Louisiana Civil Case  
Reporting

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**Title - II**                      **Chapter Title - Procedure**

**Chapter - 9**

**Rule - 9.12**                      <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12A.pdf>



effective June 14, 2011; amended effective June 1, 2012; amended effective January 1, 2013; amended effective October 13, 2014; amended effective January 1, 2016; amended effective January 19, 2016; amended effective March 14, 2017; amended effective March 10, 2020.

Distribution of Controlled Dangerous Substances (CDS) charges and offenses for which the date of offense is not determinable. These latter offenses shall be randomly allotted by the Clerk.

If a felony charge is randomly allotted because the date of offense is not determinable, and if a specific date is later determined to exist, any party may file a motion to transfer the case to the division of court on duty on the determined date.

Traffic and misdemeanor cases shall be scheduled for arraignment. If a plea of not guilty is entered at arraignment, the case shall be randomly allotted by the Clerk of Court in open court.

Orders to show cause, orders not dispositive of an issue in the case or orders authorized by the judge to whom a case is allotted may be signed by any judge of the district.

The judge of any division may accept a not guilty plea in any felony or misdemeanor case. A case may not be transferred from one division to another unless agreed to by all parties (including relinquishing and accepting judges) or unless it is being transferred pursuant to any of these rules.

Cold cases, as defined in Section D below, shall be randomly allotted.

Cases not provided for in these rules shall be randomly allotted to a criminal section of court simultaneously with the filing of formal charges by the District Attorney.

This rule is prospective and shall take effect on October 13, 2014. Arrests made after the effective date for offenses that occurred prior to the effective date shall be randomly allotted.

#### B) ALLOTMENT EXCEPTIONS:

##### 1) SINGLE DEFENDANT, PENDING FELONY:

If a defendant has a pending felony case or cases, new felony charges shall be allotted to the division with the pending felony case or cases.

##### 2) MULTIPLE DEFENDANTS, PENDING FELONY/FELONIES:

If a new felony case involves multiple defendants and any of the defendants have a pending felony case or cases, the new felony case shall be allotted to the division with the oldest pending felony docket number of any defendant.

##### 3) MULTIPLE OFFENSES, ONE DEFENDANT:

If a defendant is arrested for known multiple felony charges that occurred on multiple dates that are specifically determinable, all cases are allotted based upon the date of the first offense. However, if a defendant is arrested for a felony offense(s), which is the only offense(s) known at the time of arrest, and the charge is allotted based upon the date of that offense, any cases later discovered to have been committed by the defendant prior to the date of the offense previously allotted, shall remain in the division to which the first known case was originally allotted.

##### 4) NEW FELONY, DEFENDANT ON PROBATION

If a defendant is on felony probation, new felony charges shall be allotted to the division that placed the defendant on felony probation.

#### C) HOMICIDES:

Homicides, as defined below, shall be allotted based on date of offense without consideration to pending criminal cases or probation violations involving the defendant or co-defendants.

#### D) DEFINITIONS:

1) "CASE" – a bill of information or indictment, or more than one charging document, which charges a crime(s).

2) "DUTY JUDGE" – the judge whose division is so designated on the judicial administrator's court calendar. If more than one division is designated, the calendar shall note which division is the allotment division for purposes of these rules. The most up to date court calendar in effect on the date of an offense, as prepared and distributed by the judicial administrator, will be used to determine allotment. The duty judge for allotment purposes will be determined based upon calendar date, not based upon the time that the judges actually transfer duty judge obligations.

3) “HOMICIDES” – 1st and 2nd degree murder and Manslaughter.

4. “COLD CASE” – a felony crime that is investigated but never previously billed or dismissed, and is later reopened for investigation when new evidence is found. If a felony is classified by Law Enforcement as a “Cold Case” but occurred on or after October 13, 2014, it shall be allotted to the division of Court on duty at the time the offense was committed unless the date is not determinable.

E) New felony cases from Right to Counsel Court (72-Hour Court) shall be allotted within 48 hours of arrest not counting weekends and holidays.

F) A motion to recuse that is ordered to be heard by another judge pursuant to Article 674 of the Code of Criminal Procedure shall be randomly allotted by the Clerk’s computer program until a judge other than the one subject to the recusal motion is selected.

If the motion to recuse is granted, the Clerk shall randomly allot the case to a new judge.

G) In all criminal cases, if a bill of information or indictment charges a crime arising out of the same nucleus of operative facts which has previously been billed or dismissed, the new charge will be allotted to the division originally allotted the case.

H) Pursuant to written agreement, defendants placed in Drug, DWI, VTC, and Mental Health Court specifically waive their rights to a speedy trial, random allotment/assignment of their case, and judicial recusal. All cases assigned to Drug Court are to be allotted to Division “DC.” All cases assigned to DWI Court are to be allotted to Division “DWI.” All cases assigned to Veteran’s Treatment Court are to be allotted to Division “VTC.” All cases assigned to Mental Health Court are to be allotted to Division “MH.”

Cases will be officially assigned to Drug Court, DWI Court, VTC and/or MH Court after the filing of either a bill of information or indictment, and only after a defendant has formally entered into the respective court program. Whenever a defendant formally enters into the Drug Court Program, the Clerk of Court will transfer the case to Division “DC.” Whenever a defendant formally enters into the DWI Court Program, the Clerk of Court will transfer the case to Division “DWI.” Whenever a defendant formally enters into the Veteran’s Treatment Court Program, the Clerk of Court will transfer the case to Division “VTC.” Whenever a defendant formally enters into the Mental Health Court Program, the Clerk of Court will transfer the cases to Division “MH.”

All pleadings filed in Drug Court cases are to be presented to the presiding judges of Division “DC.” All bench warrant hearings in Drug Court cases shall be presided over only by the judges of Division “DC” at the regularly scheduled sessions of Drug Court.

All pleadings filed in DWI Court cases are to be presented to the presiding judges of Division “DWI.” All bench warrant hearings in DWI Court cases shall be presided over only by the judges of Division “DWI” at the regularly scheduled sessions of DWI Court.

All pleadings filed in Veteran’s Treatment Court cases are to be presented to the presiding judges of Division “VTC.” All bench warrant hearings in VTC cases shall be presided over only by the judges of Division “VTC” at the regularly scheduled sessions of Veteran’s Treatment Court.

All pleadings filed in Mental Health Court cases are to be presented to the presiding judge of Division “MH.” All bench warrant hearings in MH Court cases shall be presided over only by the judge of Division “MH” at the regularly scheduled sessions of MH Court.

I) If a defendant is terminated unsuccessfully from Drug Court, DWI Court, Veteran’s Treatment Court, and/or Mental Health Court during the opt-out period as defined by the respective programs, then his or her original charge(s) may be re-instituted by the District Attorney, and if this occurs then the case will be reassigned to its originally allotted division.

J) Any new charges or motions for probation violation filed against a defendant who is enrolled in Drug Court are to be assigned to Division “DC.” Any new charges or motions for probation violation filed against a defendant who is enrolled in DWI Court are to be assigned to Division “DWI.” Any new charges or motions for probation violation filed against a defendant who is enrolled in Veteran’s Treatment Court are to be assigned to Division “VTC.” Any new charges or motions for probation violation filed against a defendant who is enrolled in Mental Health Court are to be assigned to Division “MH.” New charges and/or probation revocation may be grounds for unsuccessful termination from the respective court program, and may result in the re-institution of criminal charges against the defendant by the District Attorney.



3. Any motion filed before allotment shall be referred by the duty judge to CRIM II judge for hearing. If allotted before the hearing date, the motion shall be set and heard in the division to which it is allotted. Any pleadings filed in a Drug Court case shall be heard by the presiding judges of Division "DC" only at a regularly scheduled session of Drug Court. Any pleadings filed in a DWI Court case shall be heard by the presiding judges of Division "DWI" only at a regularly scheduled session of DWI Court. Any pleadings filed in a Veteran's Treatment Court case shall be heard by the presiding judges of Division "VTC" only at a regularly scheduled session of Veteran's Treatment Court. Any pleadings filed in a Mental Health Court case shall be heard by the presiding judge of Division "MH" only at a regularly scheduled session of Mental Health Court.

4. Bench warrant hearings shall be held in CRIM II court unless the judge of the division to whom the case has been allotted indicates on the record that the hearing is to be held in his division. If the case from which the bench warrant arises has not been allotted, after the bench warrant has been answered, it shall be. Any bench warrant issued in a Drug Court case may only be answered to by appearance before the presiding judge of Division "DC" at a regularly scheduled session of Drug Court. Any bench warrant issued in a DWI Court case may only be answered to by appearance before the presiding judge of Division "DWI" at a regularly scheduled session of DWI Court. Any bench warrant issued in a Veteran's Treatment Court case may only be answered to by appearance before the presiding judges of Division "VTC" at a regularly scheduled session of Veteran's Treatment Court. Any bench warrant issued in a Mental Health Court case may only be answered to by appearance before the presiding judge of Division "MH" at a regularly scheduled session of Mental Health Court.

5. Once a non-capital felony case against a defendant has been allotted, any subsequent filed cases, old felonies not previously allotted, and any misdemeanors with respect to the same defendant will follow the first allotted felony case and be transferred to the division in which the first allotted felony case is pending. Capital cases shall not be transferred pursuant to this section.

6. If separate bills are filed arising out of the same nucleus of operative facts, all such cases will be transferred to the division receiving the first case upon motion of the state, defense or court.

7. When a motion for probation violation is filed, all pending or new cases shall follow the probation violation, and be transferred to the division to which the probation violation is allotted.

8. Orders to show cause, any orders not dispositive of an issue in the case, and any order expressly and specifically authorized by the judge to whom it is allotted, may be signed by any judge of the district. Any pleadings filed in a Drug Court case must be presented to the presiding judges of Division "DC," and must be served upon the assigned Drug Court Assistant DA. Any pleadings filed in a DWI Court case must be presented to the presiding judges of Division "DWI," and must be served upon the assigned DWI Court Assistant DA. Any pleadings filed in a Veteran's Treatment Court case must be presented to the presiding judges of Division "VTC," and must be served upon the assigned Veteran's Treatment Court Assistant DA. Any pleadings filed in a Mental Health Court case must be presented to the presiding judge of Division "MH" and must be served upon the assigned Mental Health Court Assistant DA.

9. Generally, arraignments in felony cases should be held in the division to which the case is assigned, provided that the judge of any division may accept a not guilty plea in any felony or misdemeanor case though not allotted to the division of the judge accepting the not guilty plea.

10. After a case has been allotted to a division of the court, it may not be transferred from one division to another within the same court, unless agreed to by all parties (including relinquishing and accepting judges), or unless it is being transferred pursuant to Sections 2, 5, 6, and 7 of this rule.

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**Title - III**

**Chapter Title - Allotment of Cases**

**Chapter - 14**

Appeals from lower courts are randomly allotted by computer upon filing. Traffic and wildlife offenses are randomly allotted by the Clerk of Court in the same manner provided for misdemeanors. See Appendix 14.0A.

**Rule - 14.0**

**Appendix - 14.0B**

Random Allotment  
Traffic Offenses,

**Title - III**                      **Chapter Title - Allotment of Cases**

**Chapter - 14**                      See Appendix 14.0A.

**Rule - 14.1**

**Appendix - 14.1**

Allotment - Defendant  
with More than One  
Felony Case

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**Title - III**                      **Chapter Title - Assignment of Cases and Preliminary Motions**

**Chapter - 15**                      1. Criminal matters will be heard on the days scheduled by the court for the disposition of such matters.

**Rule - 15.0**                      2. Any criminal jury case not taken up on the date fixed for trial shall stand fixed for each subsequent day of that petit jury term, unless otherwise ordered by the court.

**Appendix - 15.0**

Assignment of Cases,  
Filing of Motions, Pre-  
Trial and Status  
Conferences

Amended effective  
February 10, 2015.

3. When two or more criminal cases are fixed for the same day, the District Attorney may call them for trial according to his published priority list.

4. A written plea of NOT GUILTY to criminal charges triable by jury may be ordered filed if presented to the court at the time scheduled for arraignment, by counsel or the Clerk of Court, provided: that the document adequately identifies the charge(s) and acknowledges by counsel and the defendant that the defendant can read the English language; is aware of the nature of the charge(s); that counsel has advised, and defendant understands, the right to trial by jury and the right to waive trial by jury and be tried by the court; that defendant's election is for trial with or without a jury; the mailing address of counsel and the defendant; that defendant waives formal arraignment in open court or any objections as to informality thereof; and that defendant has read the document and enters a plea of NOT GUILTY to the charge(s). The document shall be signed and dated by defendant and counsel.

5. A plea of NOT GUILTY to charge(s) not triable by jury may be entered in a like manner and without the signature of defendant or the foregoing recitations, provided: the document adequately identifies the charge(s); waives formal arraignment and any objections to the informality thereof; contains the mailing address of defendant and counsel; and is signed and dated by counsel.

6. Such pleas may be delivered to the Clerk of Court, if desired, and will thereafter be presented in open court on the next scheduled date for arraignment. They shall not be considered filed, and may not be entered into or placed in the record of the case until so ordered in open court.

7. Pre-trials and status conferences are scheduled when requested by the State or defendant.

8. Pursuant to Louisiana Code of Criminal Procedure Article 522, the 14th Judicial District Court authorizes a defendant's appearance at any pre-trial motion or at any hearing on a pre-trial motion via simultaneous transmission through audio-visual electronic equipment, if approved by defense counsel. (This language also appears in new Appendix 15.3 ("Court-Specific Rules on Simultaneous Appearance by a Party or Witness by Audio-Visual Transmission").

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**Title - III**                      **Chapter Title - Assignment of Cases and Preliminary Motions**

**Chapter - 15**                      Every Tuesday and Thursday, a right-to-counsel hearing is held via video, in person or by telephone, during which each inmate who has been arrested within the previous 72 hours, not including Saturdays,

**Rule - 15.1**

Sundays, and Legal Holidays, is informed of his right-to-counsel. If the inmate is found indigent, a public defender or other counsel who serves on a voluntary appointment list is appointed. If counsel has not been appointed at the right-to-counsel hearing, then one is appointed at the indigent's first appearance in court.

**Appendix - 15.1**

Appointment of Counsel

Amended effective  
December 12, 2006.

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**Title - III**

**Chapter Title - Assignment of Cases and Preliminary Motions**

**Chapter - 15**

The District Attorney may also be served, either in court or by personal delivery.

**Rule - 15.2**

**Appendix - 15.2**

Alternative Method of  
Service on District  
Attorney

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**Title - III**

**Chapter Title - Arraignment and Pleas**

**Chapter - 18**

**Rule - 18.0**

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX18.0.PDF>

**Appendix - 18.0**

Waiver of Formal  
Arraignment and Pleas

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**Title - III**

**Chapter Title - Simultaneous Peremptory Challenges**

**Chapter - 19**

This court has not adopted a rule providing for a system of simultaneous exercise of peremptory challenges.

**Rule - 19.0**

**Appendix - 19.0**

Simultaneous  
Peremptory Challenges

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**Title - IV**

**Chapter Title - Application of Rules**

**Chapter - 22**

A. There shall be Family and Juvenile dockets in the Fourteenth Judicial District, and these dockets shall be allotted as follows:

**Rule - 22.0**

**Appendix - 22.0**

Courts That Have  
Created Specialized  
Divisions or Sections of  
Court That Handle  
Family Law Proceedings

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 juvenile matters presently assigned to Division "D" will be reassigned to Divisions "C" and "I". Division "D" will retain all family matters presently assigned to Division "D".

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 "I". All new juvenile matters will be assigned to Divisions "A" and "I" 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”.

B. Matters heard on the Family and Juvenile Court Dockets shall be as follows:

(1) Juvenile matters governed by the Louisiana Children’s Code;

(2) All proceedings for the adoption of minors and for the relinquishment or termination of parental rights;

(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.

(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

(5) All Protective Orders filed in accordance with La. R.S. 46:2131, et seq., and R.S. 46:2151 et seq.

C. These rules shall apply to family and juvenile proceedings in all divisions of the 14th Judicial District Court.

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**Title - IV**

**Chapter Title - Notice and Exchange of Information**

**Chapter - 23**

**Rule - 23.0**

[http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_23.0A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0A.pdf)

**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

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**Title - IV**

**Chapter Title - Notice and Exchange of Information**

**Chapter - 23**

**Rule - 23.0**

[http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_23.0B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0B.pdf)

**Appendix - 23.0B**

Family Law Affidavit (form)

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**Title - IV**

**Chapter Title - Notice and Exchange of Information**

**Chapter - 23**

**Rule - 23.0**

[http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_23.0C.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0C.pdf)

**Appendix - 23.0C**

Hearing Information  
Order (form)

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**Title - IV**                      **Chapter Title - Notice and Exchange of Information**

**Chapter - 23**

**Rule - 23.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_23.0D.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0D.pdf)

**Appendix - 23.0D**

Hearing Officer  
Conference and  
Information Order (form)

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**Title - IV**                      **Chapter Title - Notice and Exchange of Information**

**Chapter - 23**

**Rule - 23.0**

**Appendix - 23.0E**

Courts That Require Use  
of a Specific Hearing  
Information Order or  
Hearing Officer  
Conference and  
Information Order

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**Title - IV**                      **Chapter Title - Notice and Exchange of Information**

**Chapter - 23**

**Rule - 23.0**

**Appendix - 23.0F**

Court-Specific Rules  
Concerning Arrearages

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**Title - IV**                      **Chapter Title - Notice and Exchange of Information**

**Chapter - 23**

**Rule - 23.1**

**Appendix - 23.1**

Court-Specific Rules  
Concerning Pre-Trial  
Orders in Non-  
Community Property  
Cases

**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

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.

**Rule - 24.0**

2. All initial filings in new suits filed in Family Court shall be accompanied by this form:

**Appendix - 24.0**

Court-Specific Rules  
Concerning Form of  
Pleadings and Caption  
Requirements in Family  
Law Proceedings

\_\_\_\_\_  
VS. NO. \_\_\_\_\_  
\_\_\_\_\_

14TH JUDICIAL DISTRICT COURT  
PARISH OF CALCASIEU  
STATE OF LOUISIANA

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK OF COURT

**CLERK'S FORM**

Plaintiff:

Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Birthdate: \_\_\_\_\_ Birthplace: \_\_\_\_\_

Number of marriages including this one: \_\_\_\_\_

Social Security No.: \_\_\_\_\_

Employer: \_\_\_\_\_

Relative not living with you: \_\_\_\_\_

Defendant:

Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Birthdate: \_\_\_\_\_ Birthplace: \_\_\_\_\_

Number of marriages including this one: \_\_\_\_\_

Social Security No.: \_\_\_\_\_

Employer: \_\_\_\_\_

Relative not living with you: \_\_\_\_\_

Prior Involvement with the 14th JDC, Family and Juvenile Court:

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	_____

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: \_\_\_\_\_

Attorney for Plaintiff: \_\_\_\_\_

Attorney for Defendant: \_\_\_\_\_

**BRIEFS AND MEMORANDUM**

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.

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.

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.

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**Title - IV**                      **Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.1**

**Appendix - 24.1**

Court-Specific Rules  
Concerning Prior or  
Multiple Filing of  
Pleadings

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**Title - IV**                      **Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.2**

**Appendix - 24.2**

Court-Specific Rules  
Concerning Allotment of  
Cases

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.

B. All cases involving the same family units shall be allotted to the same division of the Court.

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.

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.

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.

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.

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.

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**Title - IV**                      **Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.3**

**Appendix - 24.3**

Court-Specific Rules  
Concerning Walk-  
Through of Pleadings

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	
<b>Rule - 24.4</b>	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.
<b>Appendix - 24.4</b>	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.
Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants	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.

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	
<b>Rule - 24.5</b>	
<b>Appendix - 24.5</b>	
Court-Specific Rules Concerning Extensions of Time To Plead in Family Law Proceedings	

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	
<b>Rule - 24.6</b>	
<b>Appendix - 24.6</b>	
Court-Specific Rules Restricting the Preparation of Answers or Other Pleadings; Procedure When a Self- Represented Party Has	



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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.7**

**Appendix - 24.7A**

Court-Specific Rules  
Concerning Scheduling  
Hearings and Trials

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.

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.

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.

D. Upon receiving a request for the fixing of a case for 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.

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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.7**

**Appendix - 24.7B**

Court-Specific Rules  
Concerning Order of  
Business

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:

- (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).

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:

- (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.

Once a trial has commenced, it shall take preference over all other proceedings.

C. The attorney who has a potential conflict shall immediately notify opposing counsel and the Court.

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	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
<b>Rule - 24.8</b>	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 this Court's rules in Appendix 24.7B.
<b>Appendix - 24.8A</b>	
Court-Specific Rules Concerning Continuances in Family Law Proceedings	

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	
<b>Rule - 24.8</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8B.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8B.pdf</a>
<b>Appendix - 24.8B</b>	
Uncontested Motion To Continue (form)	

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	
<b>Rule - 24.8</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8C.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8C.pdf</a>
<b>Appendix - 24.8C</b>	
Contested Motion To Continue (form)	

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	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.
<b>Rule - 24.9</b>	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.
<b>Appendix - 24.9</b>	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.
Court-Specific Rules Concerning Discovery	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.

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.

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.

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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

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:

**Rule - 24.10**

- (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.

**Appendix - 24.10**

Court-Specific Rules  
Concerning Setting of  
Pre-Trial Conferences

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 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.

C. At pretrial conferences, the Court, in its discretion, may seek to advise and assist the parties to a voluntary resolution of their differences.

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.

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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.11**

**Appendix - 24.11**

Court-Specific Rules  
Concerning Hearings in  
Chambers in Family Law  
Proceedings Pursuant to  
La. R.S. 9:302

<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	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.
<b>Rule - 24.12</b>	Children shall not be allowed in the courtroom without special permission of the Judge.
<b>Appendix - 24.12</b>	
Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences	

<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	A. If mental health assistance is ordered, an Order for Mental Health Assistance shall be executed and delivered to the mental health professional, all parties, and all counsel of record by hand delivery, mail, or facsimile.
<b>Rule - 24.13</b>	
<b>Appendix - 24.13</b>	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.
Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings	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.
	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.
	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:
	(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.

<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	

**Rule - 24.14**

**Appendix - 24.14**

Court-Specific Rules  
Concerning Proof of  
Uncontested Paternity by  
Affidavit Pursuant to La.  
R.S. 9:572

**Title - IV**

**Chapter Title - Judgments and Stipulations**

**Chapter - 25**

**Rule - 25.0**

**Appendix - 25.0**

Court-Specific Rules on  
Preparation and  
Submission of Judgments  
in Family Law  
Proceedings

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.

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.

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.

D. Any written stipulation or judgment involving joint custody shall include a Joint Custody Plan pursuant to La. R.S. 9:335. See Appendices 29.2A and 29.2B for a suggested Joint Custody Plan.

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.

Any judgment of child support shall also be accompanied by the State Case Registry Data Form:

\_\_\_\_\_  
VS. No. \_\_\_\_\_ : 14th JUDICIAL DISTRICT COURT  
\_\_\_\_\_  
: PARISH OF CALCASIEU  
FILED: \_\_\_\_\_ : STATE OF LOUISIANA  
: \_\_\_\_\_  
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. Obligee 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. \_\_\_\_\_

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.

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**Title - IV**

**Chapter Title - Judgments and Stipulations**

**Chapter - 25**

**Rule - 25.1**

**Appendix - 25.1**

Court-Specific Rules on  
Income Assignment  
Orders

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**Title - IV**

**Chapter Title - Domestic Violence Protective Orders**

**Chapter - 26**

**Rule - 26.0**

[http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_26.0A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0A.pdf)

**Appendix - 26.0A**

Louisiana Protective  
Order Registry Index of  
Uniform Abuse  
Preventive Order Forms  
(Forms 1 through 23  
Mandated by La. R.S.

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<b>Title - IV</b>	<b>Chapter Title - Domestic Violence Protective Orders</b>
<b>Chapter - 26</b>	
<b>Rule - 26.0</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0B.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0B.pdf</a>
<b>Appendix - 26.0B</b>	
Louisiana Protective Order Registry Courtesy Forms Index: Instructions, Petitions, Supplemental Forms, etc.	

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<b>Title - IV</b>	<b>Chapter Title - Divorces Pursuant to La. Civ. Code Article 102</b>
<b>Chapter - 27</b>	
<b>Rule - 27.0</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.0A.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.0A.pdf</a>
<b>Appendix - 27.0A</b>	
La. C.C. art. 102 Divorce Checklist (form)	

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<b>Title - IV</b>	<b>Chapter Title - Divorces Pursuant to La. Civ. Code Article 102</b>
<b>Chapter - 27</b>	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.
<b>Rule - 27.0</b>	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.
<b>Appendix - 27.0B</b>	
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	

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<b>Title - IV</b>	<b>Chapter Title - Divorces Pursuant to La. Civ. Code Article 102</b>
<b>Chapter - 27</b>	
<b>Rule - 27.0</b>	
<b>Appendix - 27.0C</b>	
Court-Specific Rules Concerning Allowance of Divorce by Affidavit in a La. C.C. art. 102 Divorce	

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 102**

**Chapter - 27**

**Rule - 27.1**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_27.1A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1A.pdf)

**Appendix - 27.1A**

Waiver of Service and  
Citation of an Original  
Petition in a La. C.C. art.  
102 Divorce Proceeding  
(form)

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 102**

**Chapter - 27**

**Rule - 27.1**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_27.1B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1B.pdf)

**Appendix - 27.1B**

Waiver of Service and  
Citation of Rule To  
Show Cause in a La.  
C.C. art. 102 Divorce  
(form)

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 102**

**Chapter - 27**

**Rule - 27.1**

**Appendix - 27.1C**

Courts That Require Use  
of a Specific Waiver of  
Service and Citation  
Form in a La. C.C. art.  
102 Divorce

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.0**

**Appendix - 28.0**

Court-Specific Rules  
Concerning Confirmation  
of Preliminary Defaults

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:

- (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.



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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.1**

**Appendix - 28.1A**

Court-Specific Rules  
Concerning Allowance  
of Divorce by Affidavit  
in a La. C.C. art. 103  
Divorce Under La. Code  
Civ. Proc. art. 1702(E)

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.1**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_28.1B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.1B.pdf)

**Appendix - 28.1B**

La. C.C.P. art. 1702(E)  
Divorce Checklist (form)

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.1**

**Appendix - 28.1C**

Courts That Require the  
Filing of a La. C.C.P. art.  
1702(E) Divorce  
Checklist

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.2**

**Appendix - 28.2A**

Courts That Require the  
Filing of a La. C.C.P. art.  
969(B) Divorce  
Checklist

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.2**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_28.2B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.2B.pdf)

**Appendix - 28.2B**

La. C.C.P. art. 969(B)  
Divorce Checklist (form)

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.3**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_28.3A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.3A.pdf)

**Appendix - 28.3A**

Acceptance of Waiver  
and Waiver of Service  
and Citation and Delays  
in a La. C.C. art. 103  
Divorce (form)

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.3**

**Appendix - 28.3B**

Courts That Require a  
Specific Form for Waiver  
of Service and Citation in  
a La. C.C. art. 103  
Divorce

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**Title - IV**                      **Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_29.0A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.0A.pdf)

**Appendix - 29.0A**

Application for Ex Parte  
Temporary Custody  
Order – Affidavit of  
Mover in Compliance  
with La. C.C.P. art. 3945  
(B) (form)

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**Title - IV**                      **Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.0**

[http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_29.0B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.0B.pdf)

**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)  
(form)

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**Title - IV**

**Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

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 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.

**Rule - 29.0**

**Appendix - 29.0C**

Court-Specific Rules  
Concerning Ex Parte  
Custody Orders

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.

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.

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**Title - IV**

**Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.1**

**Appendix - 29.1**

Court-Specific Rules  
Concerning Temporary  
Custody Orders

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**Title - IV**

**Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.2**

[http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_29.2A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2A.pdf)

**Appendix - 29.2A**

Joint Custody Plan (With  
Domiciliary Parent)  
(form)

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<b>Title - IV</b>	<b>Chapter Title - Custody and Visitation Orders</b>
<b>Chapter - 29</b>	
<b>Rule - 29.2</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2B.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2B.pdf</a>
<b>Appendix - 29.2B</b>	
Joint Custody Plan (Without Domiciliary Parent) (form)	

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<b>Title - IV</b>	<b>Chapter Title - Custody and Visitation Orders</b>
<b>Chapter - 29</b>	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.
<b>Rule - 29.3</b>	
<b>Appendix - 29.3</b>	
Court-Specific Rules Concerning Parenting Classes	

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<b>Title - IV</b>	<b>Chapter Title - Custody and Visitation Orders</b>
<b>Chapter - 29</b>	A. If the Hearing Officer or Court determines that a matter is appropriate for mediation, a Mediation Order shall be issued. 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.
<b>Rule - 29.4</b>	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.
<b>Appendix - 29.4</b>	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.
Court-Specific Rules Concerning Mediation	D. After mediation has been ordered, the appointed mediator shall file an Acceptance of Appointment and Initial Disclosure and the Initial Appointment Notice.
	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.
	F. Mediators shall preserve and maintain the confidentiality of mediation proceedings pursuant to La. R.S. 9:332 C.
	(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 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.
	(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.

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 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.

H. Failure to schedule or attend mediation appointments or comply with the Court's mediation order in any way may constitute contempt of court.

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.

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**Title - IV**                      **Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.5**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_29.5.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.5.pdf)

**Appendix - 29.5**

Form Letter To Register  
a Foreign or Out-of-State  
Custody Order (form)

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**Title - IV**                      **Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.6**

**Appendix - 29.6**

Court-Specific Rules  
Concerning Modification  
of an Existing Custody or  
Visitation Order

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**Title - IV**                      **Chapter Title - Partition of Community Property**

**Chapter - 30**

**Rule - 30.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_30.0A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0A.pdf)

**Appendix - 30.0A**

Sworn Detailed  
Descriptive List (form)

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**Title - IV**                      **Chapter Title - Partition of Community Property**

**Chapter - 30**

**Rule - 30.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_30.0B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0B.pdf)

**Appendix - 30.0B**

Sample, Completed  
Sworn Detailed  
Descriptive List (form)

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**Title - IV**                      **Chapter Title - Partition of Community Property**

**Chapter - 30**

**Rule - 30.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_30.0C.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0C.pdf)

**Appendix - 30.0C**

Joint Detailed  
Descriptive List (form)

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**Title - IV**                      **Chapter Title - Partition of Community Property**

**Chapter - 30**

**Rule - 30.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_30.0D.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0D.pdf)

**Appendix - 30.0D**

Sample, Completed Joint  
Detailed Descriptive List  
(form)

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**Title - IV**                      **Chapter Title - Partition of Community Property**

**Chapter - 30**

**Rule - 30.0**                      (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.

**Appendix - 30.0E**

Court-Specific Rules  
Concerning Detailed  
Descriptive Lists

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

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

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

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

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

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

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

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

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

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**Title - IV**

**Chapter Title - Partition of Community Property**

**Chapter - 30**

**SPECIAL MASTERS AND PARTITION  
OF COMMUNITY PROPERTY**

**Rule - 30.1**

**Appendix - 30.1**

**Court-Specific Rules  
Concerning Appointed  
Special Masters and  
Experts**

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.

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**Title - IV**

**Chapter Title - Partition of Community Property**

**Chapter - 30**

**Rule - 30.2**

**Appendix - 30.2**

Court-Specific Rules  
Concerning Partition of  
Community Property

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<b>Title - IV</b>	<b>Chapter Title - Other Rules</b>
<b>Chapter - 31</b>	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.
<b>Rule - 31.0</b>	

**Appendix - 31.0**

Court-Specific Rules  
Concerning Use of  
Electronic and Recording  
Devices

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<b>Title - IV</b>	<b>Chapter Title - Other Rules</b>
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**Chapter - 31**

**Rule - 31.1**

**Appendix - 31.1**

Court-Specific Rules  
Concerning Oral  
Arguments

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<b>Title - IV</b>	<b>Chapter Title - Other Rules</b>
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**Chapter - 31**

**Rule - 31.2**

**Appendix - 31.2**

Court-Specific Rules  
Concerning Enrollment  
and Withdrawal of  
Counsel

- 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.
- 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.
- C. All motions to withdraw shall contain the last known mailing address and phone number of the attorney's client.
- 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.



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**Title - IV**                      **Chapter Title - Other Rules**

**Chapter - 31**

**Rule - 31.3**

**Appendix - 31.3**

Court-Specific Rules  
Concerning  
Collaborative Divorce  
Procedures

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**Title - IV**                      **Chapter Title - Use of Hearing Officers and Domestic Commissioners for Family Law Proceedings**

**Chapter - 32**

**Rule - 32.0**

[http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_32.0A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_32.0A.pdf)

**Appendix - 32.0A**

Courts Authorizing and  
Directing Court-  
Appointed Hearing  
Officers, Commissioners,  
and/or Magistrates  
Pursuant To La. R.S.  
46:236.5

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**Title - IV**                      **Chapter Title - Use of Hearing Officers and Domestic Commissioners for Family Law Proceedings**

**Chapter - 32**

**RULES**

**Rule - 32.0**

A. All rules to show cause shall be set for a Hearing Officer Conference before the Hearing Officer utilizing the Appendix 23.0D Hearing Officer Conference and Information Order with the following exceptions:

**Appendix - 32.0B**

Court-Specific Rules on  
Hearing Officers and  
Domestic Commissioners

- (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.

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:

\_\_\_\_\_  
VS. No. \_\_\_\_\_ : 14th JUDICIAL DISTRICT COURT  
\_\_\_\_\_  
: PARISH OF CALCASIEU  
\_\_\_\_\_  
FILED: \_\_\_\_\_ : STATE OF LOUISIANA  
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.

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**Title - IV**

**Chapter Title - Hearing Officer Procedure for Title IV-D Federal Social Security Act**

**Chapter - 33**

**Rule - 33.0**

**Appendix - 33.0**

Court-Specific Rules  
Concerning Objections to  
Recommendations of  
Hearing Officers in Title  
IV-D Matters

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**Title - IV**

**Chapter Title - Hearing Officer Procedures for Domestic Violence Protective Orders**

**Chapter - 34**

**Rule - 34.0**

**Appendix - 34.0**

Court-Specific Rules  
Concerning Hearing  
Officer Procedures for  
Domestic Violence  
Protective Orders

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**Title - IV**

**Chapter Title - Hearing Officer Procedures for Domestic Violence Protective Orders**

**Chapter - 34**

**Rule - 34.2**

**Appendix - 34.2**

Court-Specific Rules  
Concerning Objections to



**Title - IV**                      **Chapter Title - General Procedures for Hearing Officer Conferences**

**Chapter - 35**

**Rule - 35.1**

**Appendix - 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

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**Title - IV**                      **Chapter Title - General Procedures for Hearing Officer Conferences**

**Chapter - 35**

**Rule - 35.4**

[http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_35.4.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_35.4.pdf)

**Appendix - 35.4**

Stipulation Form (form)

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**Title - IV**                      **Chapter Title - General Procedures for Hearing Officer Conferences**

**Chapter - 35**

**Rule - 35.5**

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.

**Appendix - 35.5**

Court-Specific Rules  
Concerning Objections to  
Hearing Officer  
Recommendations and  
Judgments of Domestic  
Commissioner

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**Title - IV**                      **Chapter Title - General Procedures for Hearing Officer Conferences**

**Chapter - 35**

**Rule - 35.7**

**Appendix - 35.7**

Court-Specific Rules  
Concerning the Setting of

**Title - IV Chapter Title - General Procedures for Hearing Officer Conferences**

**Chapter - 35**

**Rule - 35.8**

**Appendix - 35.8**

Court-Specific Rules  
Concerning Adoption of  
Hearing Officer's  
Recommendation as  
Temporary Order After  
Objection

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**Title - V Chapter Title - Court Organization and Sessions**

**Chapter - 41**

Pleadings and Discovery

All suits filed in Family Court shall be accompanied by the Clerk's form.

**Rule - 41.0**

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.

**Appendix - 41.0**

Court Procedures

Printed or photo copied forms used in lieu of original typed documents, as well as copies of documents attached as evidence or for the information of the Court, shall be of good quality, legible, and not subject to fading.

Amended effective  
October 29, 2009

Briefs and Memorandum

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.

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 and 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.

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.

Records

Only attorneys and court reporters of this Judicial District shall be permitted to withdraw records, exhibits and documents and they shall give their receipts therefore. They shall not retain such records or documents longer than 72 hours, except with special permission of the Court.

Attorneys from other Judicial Districts in this state shall be permitted to withdraw records, documents and exhibits upon presentation of an order of the Court authorizing them to do so, which order shall state the length of time that the record, document or exhibit may be retained.

All records or documents pertaining to a cause pending shall be presented to the Court by the Clerk in the courtroom on the day such case is to be tried.

Withdrawal of Counsel

Prior to the mailing or serving of a notice of the Court for the purpose of assigning a case for hearing or trial, any attorney may, by ex parte order, be permitted to withdraw his representation of a party. It is required that the ex parte order 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.

Following the mailing or serving of such hearing or trial notice, 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 by mail 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.

All motions to withdraw shall contain the last known mailing address and phone number of the attorney's client. 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 provided further that it shall not retard the scheduled hearing or trial.

#### Duties of Curator Ad Hoc

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.

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.

Those attorneys appearing on the curator ad hoc list shall be required to accept not less than one appointment per calendar in a Child in Need of Care proceeding.

#### Appointment of Counsel in Child Protection Cases

##### A. Policy

The Court acknowledges that each party in a case should have access to competent, continuous, diligent representation throughout the life of the case.

##### B. Appointment of Counsel for Parent(s) or Caretaker

Ideally, counsel should be appointed as early in the case as is practical.

- (1) At the continued custody hearing, the Court will advise parent(s) of the right to court-appointed counsel if the parent(s) are indigent.
- (2) The Court will, in the interest of justice, appoint counsel for such indigent persons.
- (3) The Court will appoint a curator for any parent who is an absentee.

##### C. Appointment of Counsel for Children

The Court will appoint counsel for the children in a child protection case at the continued custody hearing.

##### D. Continuity of Representation

- (1) Wherever possible, after counsel enters an appearance or accepts an appointment, representation shall continue through all stages of the proceedings until the case has been removed from the docket.
- (2) If a parent in an action for involuntary termination of parental rights (TP) is indigent and requires appointment of counsel, the Court will appoint the same counsel who represented the parent in the CINC proceeding, except where a compelling reason would preclude such appointment.

#### Child in Need of Care- Removal

Once a child has been removed from the custody of her parent(s) or legal guardian(s) and custody placed with the State, all required DSS review forms shall contain documentation of the continuing necessity for the placement with the State and the continuing appropriateness of that placement. All efforts made to return the child to his parent(s) or legal guardian(s) and the length of continued placement or continued removal from the parents' custody shall also be documented.

Adopted effective April 16, 2001.

#### Private Permanency Placement Review Hearings, Permanent Placement Reports, Contents

In any case in which a permanency placement review hearing is required by Ch. C. Art. 1146(B), the

legal custodian of the child shall file a written report not less than ten (10) days prior to the permanency placement hearing. Said report shall be known as the permanent placement report and shall contain the following information:

- 1) Date of the child's placement
  - 2) Name and address of the family in whose home the child is placed
  - 3) The child's general welfare/How the child is progressing in the home
  - 4) A statement as to whether this is the initial placement. If not, a statement as to why any previous placements failed
  - 5) Target date for the adoption petition to be filed
  - 6) A statement of any obstacles which may exist to the adoption and any plan to overcome said obstacles
  - 7) A statement of any special concerns, such as serious health or behavioral problems.
- Adopted effective April 16, 2001.

#### Services Coordinator

Any agency appointed by the Court as the lead agency in an individual case is to act as monitor of and service coordinator for that FINS case. It will be the duty of the lead agency to ensure that the FINS referrals have accurate information regarding available community services and assist the referrals in accessing those services. The lead agency will also monitor the FINS referrals to determine whether the family service plan is followed and to make appropriate interventions as needed.

In cases where OCS has been named lead agency, the Court's "Judgment of FINS Disposition" form shall be completed prior to the disposition hearing and brought to Court on the day of disposition. This form shall remain a permanent part of the record.  
Adopted effective April 16, 2001.

#### One-Family/One-Judge Rule

Once a juvenile case has been allotted to a judge, any subsequent juvenile case filed involving the same juvenile, mother or father shall be allotted to the same judge handling the previous case.

If a juvenile case is filed and a domestic case is pending involving that juvenile, the juvenile case shall be assigned to the judge handling the domestic case. If a juvenile case is pending involving a juvenile, and a domestic case is filed involving the same juvenile, the domestic case will be assigned to the judge handling the juvenile case.

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<b>Title - V</b>	<b>Chapter Title - General Rules and Procedures</b>
<b>Chapter - 42</b>	One-Family/One-Judge Rule
<b>Rule - 42.0</b>	Once a juvenile case has been allotted to a judge, any subsequent juvenile case filed involving the same juvenile, mother or father shall be allotted to the same judge handling the previous case.
<b>Appendix - 42.0</b>	If a juvenile case is filed and a domestic case is pending involving that juvenile, the juvenile case shall be assigned to the judge handling the domestic case. If a juvenile case is pending involving a juvenile, and a domestic case is filed involving the same juvenile, the domestic case will be assigned to the judge handling the juvenile case.
One Family/One Judge Rule	
Amended effective October 29, 2009	

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<b>Title - V</b>	<b>Chapter Title - Adoption Proceedings</b>
<b>Chapter - 46</b>	
<b>Rule - 46.0</b>	
<b>Appendix - 46.0</b>	
Court-Specific Rules Concerning Filing of Pleadings and Required Exhibits in Adoption	

**Title - VI Chapter Title - Litigation Filed by Inmates**

**Chapter - 60**

**Rule - 60.2** <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.2.PDF>

**Appendix - 60.2**

Form IJR-1: Petition for  
Judicial Review

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**Title - VI Chapter Title - Litigation Filed by Inmates**

**Chapter - 60**

**Rule - 60.4** <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.4.PDF>

**Appendix - 60.4**

Pro Se Prisoner-  
Plaintiff's Portion of the  
Pre-Trial Order

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**Title - VI Chapter Title - Litigation Filed by Inmates**

**Chapter - 60**

**Rule - 60.7** <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7A.PDF>

**Appendix - 60.7A**

Application To Proceed  
In Forma Pauperis Filed  
in District Court

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**Title - VI Chapter Title - Litigation Filed by Inmates**

**Chapter - 60**

**Rule - 60.7** <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7B.PDF>

**Appendix - 60.7B**

Motion To Proceed In  
Forma Pauperis on  
Appeals/Writs

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**Title - VI Chapter Title - Litigation Filed by Inmates**

**Chapter - 60**

**Rule - 60.8** <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.8.PDF>

**Appendix - 60.8**

Appeal of Parole  
Revocation