

RULES FOR LOUISIANA DISTRICT COURTS
TITLES I, II, III, IV, V, and VI
Eighteenth Judicial District Court
Parishes of Iberville, Pointe Coupee and West Baton Rouge

Title - I Chapter Title - Dates of Court

Chapter - 2 Monday before Mardi Gras.

Rule - 2.0

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.

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

Chapter - 3 Court is divided into four divisions (A, B, C and D) for the purpose of allotting Court cases within the court's jurisdiction. The court has ordered the three clerks of court of the district to randomly allot, by computer, each case upon filing.

Rule - 3.1

Appendix - 3.1

Divisions or Sections of Court

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

Chapter - 3 Duty Judges

Rule - 3.2 The yearly duty schedule shall be approved en banc by the judges of the 18th JDC, posted on the District Court's website (www.18jdc.com), and distributed to all law enforcement agencies in the district.

Appendix - 3.2

Duty Judges The duty week is from 8:00 a.m. Monday through 7:59 a.m. Monday.

Amended effective January 28, 2021; amended effective May 4, 2021.

The duty judge shall:

- Be available at all hours to consider/issue verbal hold orders in Child in Need of Care (CINC) cases.

- o Instant orders, following issuance of the verbal hold order by the duty judge, shall be filed with the Clerk of Court of the parish where the case originated for allotment. The allotted judge's staff shall assign the court date for the continued custody hearing. If, however, the allotted judge is unavailable for the hearing during the time delay allowed by law, then the duty judge's staff shall assign the court date for the hearing on his/her docket.

- Be personally, electronically, or telephonically accessible during all office and non-office hours to handle matters;

- Have the capability to review and sign written or electronic documents, including submissions by

Cloud Gavel or other commonly used electronic warrant applications within the 18th JDC;

- Secure a substitute if he/she cannot fulfill all or part of the duty obligations.

After Office Hours and Weekends:

All matters shall be presented to and handled by the duty judge.

During Office Hours (8:30 A.M. – 4:30 P.M., Monday – Friday):

1. Unassigned matters, shall first be presented by law enforcement to the judge in the corresponding parish. If that judge is not available, the matter should be handled by any available judge, including the duty judge.

2. All assigned matters of any kind are to be presented to the allotted judge for either original or electronic signature. If the allotted judge is unavailable for original or electronic signature, the allotted judge may grant permission to another district judge, including the duty judge, to sign on his/her behalf.

Urgent Matters or Emergencies:

If the unassigned matter is urgent or an emergency, law enforcement should alert the corresponding judge or the duty judge by telephone to the judge's office or the judge's mobile phone that the matter is being presented.

Reduction of Bond:

Only the Judge who fixes the criminal bond shall be empowered to reduce this bond without a hearing. The assigned Judge may reduce the bond after a hearing.

Setting of Bond:

Any Judge available to the Sheriff's office may set a criminal bond.

Assignments to the criminal bench shall be as follows:

Division A: Pointe Coupee

Division B: West Baton Rouge

Division C: Iberville, randomly allotted

Division D: Iberville, randomly allotted

In the event Division A recuses in a criminal case, it shall be reallocated to Division B. If Division B recuses that case, then it shall be randomly reallocated between Divisions C and D.

In the event Division B recuses in a criminal case, it shall be reallocated to Division A. If Division A recuses that case, then it shall be randomly reallocated between Divisions C and D.

In the event Division C recuses in a criminal case, it shall be reallocated to Division D. If Division D recuses that case, then it shall be randomly reallocated between Divisions A and B.

In the event Division D recuses in a criminal case, it shall be reallocated to Division C. If Division C recuses that case, then it shall be randomly reallocated between Divisions A and B.

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

Chapter - 3

Rule - 3.4

Any presiding judge or hearing officer of this Court may electronically sign a court order, judgment, notice, official court document and other writings, whether criminal and civil, if the electronic signature consists of a computer data compilation of any symbol or series of symbols executed, adopted or authorized by the judge to be the legally binding equivalent of the judge's handwritten

Appendix - 3.4

signature.

Court-Specific Rules
Concerning Judges' Use
of Electronic Signatures

Effective May 19, 2020.

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

Chapter - 3

Rule - 3.5

Appendix - 3.5

Court-Specific Rules
Concerning
Simultaneous
Appearance by a Party or
Witness by Audio-Visual
Transmission

Title - I Chapter Title - Court Personnel

Chapter - 4

Hon. J. G. "Bubbie" Dupont, Jr. www.ibervilleclerk.com/
Clerk of Court
Parish of Iberville
P. O. Box 423
Plaquemine, LA 70764-0423
Telephone: (225) 687-5160
Facsimile: (225) 687-5260
E-Mail: bubbiedupontcoc@bellsouth.net

Rule - 4.1

Appendix - 4.1

Judicial Administrators
and Clerks of Court

Hon. Lanell Swindler Landry
Clerk of Court
Parish of Pointe Coupee
P. O. Box 86
New Roads, LA 70760
Telephone: (225) 638-9596
Facsimile: (225) 638-9590
E-Mail: pcclerk@yahoo.com

Hon. Mark J. Graffeo www.wbrclerk.org/
Clerk of Court
Parish of West Baton Rouge
P. O. Box 107
Port Allen, LA 70767
Telephone: (225) 383-0378
Facsimile: (225) 383-3694
E-Mail: mark.graffeo@wbrclerk.org

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

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

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

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

Title - II **Chapter Title - Procedure**

Chapter - 9

Rule - 9.3

Appendix - 9.3

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

Title - II **Chapter Title - Procedure**

Chapter - 9 None.

Rule - 9.4

Appendix - 9.4

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

Title - II **Chapter Title - Procedure**

Chapter - 9

Rule - 9.6 http://www.lasc.org/rules/supreme/Louisiana_Civil_Case_Reporting_Form.pdf

Appendix - 9.6

Louisiana Civil Case
Reporting

Title - II **Chapter Title - Procedure**

Chapter - 9

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

Appendix - 9.12A

Notice of Limited
Appearance – Family
Law Cases

Title - II **Chapter Title - Procedure**

Chapter - 9

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

Appendix - 9.12B

Notice of Limited
Appearance – Non-
Family Law Cases

Title - II **Chapter Title - Procedure**

Chapter - 9 ASSIGNMENTS

Rule - 9.14 Motion for Assignments. All assignments shall be made by motion in open court or by written motion transmitted to the court. The motion shall clearly state that issue has been joined and the matter is now procedurally ready for trial. The court will reject any motion where the contrary is shown to be evident. Motions for reassignments shall be by written motion or, orally, in open court. In cases of extreme emergency, or where all counsel and the court have agreed on a reassignment, requests may be by letter or by telephone, in which event the agreement shall be followed through with a written motion.

Appendix - 9.14
Fixing for Trial or
Hearing; Scheduling
Orders; Contact with
Jurors

PRE-TRIAL PROCEDURE

1. This District desires to have a pre-trial procedure. Unless otherwise provided herein or by law, all

suits requiring a trial on the merits, shall first be pre-tried in accordance with this rule. Any party desiring to assign a case for trial shall, after all issues have been joined and after disposition of all contemplated or pending rules, motions, exceptions, interrogatories, requests for admissions, depositions, or other discovery proceedings, file a written motion accompanied with an order for a pre-trial conference with the judge presiding over the Division to which the case has been allotted. A duplicate original of the request shall be mailed or delivered to the Clerk of Court who shall file same in the suit record. After such a request has been made, the Court shall immediately be notified if, for any reason, the conference is no longer necessary.

2. The request shall certify that all pertinent information relative to the proceedings has been verified by examining the suit record and contacting all counsel; that all issues have been joined; that there are no contemplated or pending rules, motions, exceptions or any type of discovery proceedings, formal or otherwise; that all known third party demands, interventions and amendments have been made; that all possible consolidations have been effected; and, that the case is ready for trial. A copy of the pre-trial request shall be sent to all counsel of record and the request shall contain the names and current addresses of all counsel or other parties to be notified. Only one request for a pre trial conference is to be submitted. Should counsel making the request desire confirmation of receipt by the Court, he shall attach a copy and enclose a self addressed, stamped envelope.

3. In the order in which valid, properly certified requests have been received, the judge shall cause to be scheduled the pre-trial conference and give reasonable notice to counsel for all parties. If a litigant is not represented, notice shall be given to such party, and, in such event, any pre-trial order may be ex parte.

4. Except for action initiated pursuant to R.S. 23:1021, et seq. (Workmen's Compensation), and domestic relations cases in all cases scheduled for pre-trial conference, counsel for all parties are required to confer in advance of the said conference for the purpose of arriving at all possible stipulations, exchanging copies of all documents which shall be offered in evidence at the trial, preparing a list of the names and addresses of all witnesses (except those to be used for impeachment or rebuttal) who will or may testify at the trial, and for the further purpose of preparing for submission to the Court the proposed pre-trial order hereinafter described. In workmen's compensation cases, counsel are not required to confer nor prepare the proposed pre trial order. Counsel are, however, required to attend any pre trial conference scheduled by the Court.

5. Except in workmen's compensation cases and domestic relations cases and upon receipt of notice from the Court, it shall be the duty of counsel for the plaintiff to promptly arrange the conference of all counsel and it shall be the duty of all other counsel involved to facilitate and expedite the holding of such conference. On the basis of the contentions made at the conference of all counsel with respect to the matters required to be covered in the pre-trial order, counsel for plaintiff will prepare and submit a proposed pre-trial order to all other counsel, who shall promptly indicate to plaintiff's counsel any additions or corrections. The final draft of the proposed pre-trial order shall be approved and signed by all counsel and shall be submitted by counsel for the plaintiff to the judge on the day on which the pre-trial conference is to be held. In the event that any attorney disagrees with the proposed pre-trial order, or any part thereof, he shall state his reason therefor and attach his signed statement of opposition to the proposed pre-trial order prior to its submission to the Court, but shall nevertheless sign the proposed pre trial order which shall under these circumstances be deemed to be approved only to the extent not contemplated in the statement of opposition.

6. The proposed pre-trial order shall set forth:

(A) A brief but comprehensive statement of the plaintiff's contentions. (Subordinate to and controlled by the pleadings.)

(B) A brief but comprehensive statement of the defendant's contentions. (Subordinate to and controlled by the pleadings.)

(C) A brief but comprehensive statement of the claims of any other parties. (Subordinate to and controlled by the pleadings.)

(D) Facts established by the pleadings or by stipulations or admissions.

(E) A statement setting forth the contested issues of fact.

(F) A statement explicitly setting forth the contested issues of law.

(G) A list and brief description of exhibits (except documents for impeachment) to be offered in evidence by the parties.

(H) A statement that the documentary exhibits have been stipulated as to authenticity or that they have not been so stipulated.

(I) A statement as to whether or not there are any anticipated amendments to the pleadings.

(J) A list of witnesses (except those called for impeachment or rebuttal) each party may call and a short statement as to the nature (but not as to the content) of their testimony. Except for the witnesses listed, and impeachment and rebuttal witnesses, no other witnesses may be called to testify except for good cause shown.

(K) A statement as to any other matters not coming under the previous headings which may be relevant to a prompt and expeditious disposition of the case.

(L) A statement as to the estimated length of time necessary to try the case.

(M) The following certification:

"We hereby certify that we have conferred pursuant to Rule 10.2 of the Civil Rules of the Eighteenth Judicial District Court for the purpose of preparing this pre trial order; and, that we shall promptly attend the Court conference to be held on the ___ day of _____, 20___, at ___ o'clock __.M." (Date and time as shown on notice to be stated.)

(N) The following order:

"IT IS ORDERED that this cause be set for trial (by jury) at ___ o'clock __.M., on the ___ day of _____, 20___. Trial briefs (special jury charges) are to be submitted to the court not later than _____, 20___."

"IT IS FURTHER ORDERED that the jury bond is fixed in the amount of _____ Dollars and is to be filed not later than _____, 20___, with the Clerk of Court."

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

"Judge, Eighteenth Judicial District Court"

7. Counsel who have certified the pre-trial order as submitted to the Court shall attend the Court conference unless permission is granted by the Court for substitute counsel to appear. Any substitute counsel permitted by the Court to attend the conference shall be knowledgeable of all aspects of the case and shall possess the necessary authority to commit his client as regards changes, stipulations and/or compromise settlement.

8. The trial date selected for the case should not be more than six (6) months from the date of the pre-trial conference.

9. At the conclusion of the pre-trial conference, the judge shall sign the order setting the case for trial and it shall thereafter be filed in the suit record. Any additional motions or orders pertaining to the litigation, including a judgment of dismissal, shall be presented to the judge setting the case for trial or his successor in office.

10. The Court, upon its own motion, or upon the request of any party and for good cause shown, may waive all or any part of the requirements of this Rule and assign a case for trial upon the merits.

11. In the event there is any impediment to the holding of a pre-trial conference or a dispute between or among counsel relative to whether or not a case qualifies for a pre-trial conference under this Rule, a status conference may be requested for the purpose of resolving the matter and/or rendition of an appropriate order to expedite the processing of the case and, if necessary, the Court will grant same with due notice to all parties.

12. In case of failure of any party or counsel for any party to comply with the pre-trial procedure described herein, any other party or counsel therefor may rule him into Court to show cause why he should not be adjudged in contempt. The inherent power of the Court to cite for contempt is unaffected by this provision.

Title - III	Chapter Title - Allotment of Cases
Chapter - 14	Division A is seated in Pointe Coupee Parish. All criminal cases in Pointe Coupee Parish are allotted to Division A. In case of recusal, the Pointe Coupee Parish Clerk of Court will randomly allot the case to Division B, C, or D.
Rule - 14.0	
Appendix - 14.0A	Division B is seated in West Baton Rouge Parish. All criminal cases in West Baton Rouge Parish are allotted to Division B. In case of recusal, the West Baton Rouge Parish Clerk of Court will randomly allot the case to Division A, C, or D.
System of Random Allotment of Criminal Cases (Other than Traffic, Wildlife, and Appeals from Lower Courts)	Divisions C and D are seated in Iberville Parish. All criminal cases in Iberville Parish are randomly allotted by a computer supplied by the Louisiana Supreme Court between Divisions C and D. In case of recusal of Division C, the Iberville Parish Clerk of Court shall randomly re allot the case to Division A, B, or D. In case of recusal of Division D, the Iberville Parish Clerk of Court shall randomly allot the case to Division A, B, or C.

DRUG COURT

The Eighteenth Judicial District Court authorized the establishment of a "Drug Court" effective July 1, 2001, for a period of one year or any other duration as determined by en banc order of the Court. The Drug Court shall be designated as Division "E" of the Eighteenth Judicial District Court. Judge Jack T. Marionneaux is hereby designated as Division "E" Judge, in addition to his regular duties as Division "C" judge.

Felony drug cases shall be allotted to the Drug Court upon recommendation of the District Attorney of the Eighteenth Judicial District Court and acceptance by the Drug Court judge. The Drug Court shall operate in accordance with R.S. 13:5301 et seq., and in accordance with Louisiana Supreme Court guidelines.

The Drug Court will be established in Iberville Parish initially and expanded to West Baton Rouge and Pointe Coupee Parishes.

Title - III	Chapter Title - Allotment of Cases
Chapter - 14	See Appendix 14.0A.
Rule - 14.0	
Appendix - 14.0B	
Random Allotment Traffic Offenses, Wildlife Offenses, and Appeals from Courts of Limited Jurisdiction)	

Title - III	Chapter Title - Allotment of Cases
Chapter - 14	Division A is seated in Pointe Coupee Parish. All criminal cases in Pointe Coupee Parish are allotted to Division A.
Rule - 14.1	
Appendix - 14.1	Division B is seated in West Baton Rouge Parish. All criminal cases in West Baton Rouge Parish are allotted to Division B.
Allotment - Defendant with More than One Felony Case	Divisions C and D are seated in Iberville Parish. All new felonies in Iberville parish are randomly allotted by a computer supplied by the Louisiana Supreme Court between Divisions C and D. Multiple billings of a defendant resulting from the same incident will be assigned to the division to which the lowest bill number has been allotted. In cases of multiple defendants who are to be tried together, all cases will be consolidated into the division to which the lowest bill number has been allotted.

Title - III	Chapter Title - Assignment of Cases and Preliminary Motions
Chapter - 15	Pre-trial and status conferences in criminal cases are set on arraignment day or motion day in open court.
Rule - 15.0	Defendants requesting a special setting may do so by filing a written motion and order.
Appendix - 15.0	
Assignment of Cases, Filing of Motions, Pre- Trial and Status Conferences	CRIMINAL MATTERS
	Empaneling of Grand Jury. Grand Juries will be empaneled in each parish of the district in September and March of each year. The Grand Juries will be empaneled as follows: West Baton Rouge -- First Tuesday in September and First Monday in March; Iberville Parish -- Third Monday of September and March; and Pointe Coupee Parish -- Fourth Monday of September and March.

Title - III	Chapter Title - Assignment of Cases and Preliminary Motions
Chapter - 15	When the defendant first appears before the court without counsel, the court shall inform him of his right to counsel and of his right to have the court appoint counsel to defend him if he is financially unable to procure counsel. If an individual is determined to be indigent, the court shall appoint an attorney employed by the 18th Judicial District Public Defender's Office.
Rule - 15.1	
Appendix - 15.1	
Appointment of Counsel	

Title - III	Chapter Title - Assignment of Cases and Preliminary Motions
Chapter - 15	None.
Rule - 15.2	
Appendix - 15.2	
Alternative Method of Service on District Attorney	

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	

Title - III	Chapter Title - Simultaneous Peremptory Challenges
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Chapter - 19

Simultaneous peremptory challenges are allowed.

Rule - 19.0

Appendix - 19.0

Simultaneous
Peremptory Challenges

Title - IV

Chapter Title - Application of Rules

Chapter - 22

FAMILY DOCKET CASES DEFINED

Rule - 22.0

Family Docket Cases shall consist of (a) all issues which are ancillary to a divorce proceeding, (b) all child-related issues (paternity, custody, visitation and support) and in non-martial cases, (c) all protective order issues, and (d) enforcement of orders in any of these matters, including the issue of contempt of court.

Appendix - 22.0

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

SANCTIONS

Failure by an attorney or unrepresented litigant to comply with all procedures set out herein, or any other law or procedure, including the provisions of LA. R.S. 9:2801 may result in the rejection by the Court of nonconforming pleadings, and in appropriate cases, sanctions.

WAIVER OF RULES

The Judge may, in exceptional circumstances and particular cases, deviate from these rules in the interest of justice and proper administration of the Court.

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

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

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

Appendix - 23.0B

Family Law Affidavit
(form)

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

Appendix - 23.0C

Hearing Information
Order (form)

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

Appendix - 23.0D

Hearing Officer
Conference and
Information Order (form)

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

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

Chapter - 23 Arrearage/Contempt Form

Rule - 23.0 Motions filed seeking arrearages and/or contempt for failure to pay alimony and/or child support shall be accompanied by a schedule of arrearages in the form attached to and made part of this rule. Failure to comply with this rule may result in sanctions provided by law. (SEE FORM B)

Appendix - 23.0F

Court-Specific Rules
Concerning Arrearages

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

PLEADINGS AND NOTICE

Rule - 24.0

Section A.

Appendix - 24.0

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

All suits or pleadings filed in Family Docket cases shall be designated and docketed as such. The proceeding first docketed including protective order in domestic violence cases shall be the proceeding for all subsequent litigation in the case.

Section B.

In all instances, suit captions in Family Docket cases shall include a woman's maiden name and her married name if applicable.

Section C.

Divorce petitions shall clearly state within the title of the suit whether the petitioner is seeking a divorce under Article 102 or 103.

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.1

Appendix - 24.1

Court-Specific Rules
Concerning Prior or
Multiple Filing of
Pleadings

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.2

Appendix - 24.2

Court-Specific Rules
Concerning Allotment of
Cases

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.3

Appendix - 24.3

Court-Specific Rules
Concerning Walk-
Through of Pleadings

Title - IV **Chapter Title - Procedure**

Chapter - 24

**FEES FOR ATTORNEYS APPOINTED TO REPRESENT ABSENTEE
DEFENDANTS/CURATOR**

Rule - 24.4

Appendix - 24.4

Court-Specific Rules
Concerning Appointment
of Attorneys To
Represent Absentee
Defendants

The fee for appointment as attorney to represent an absentee defendant is fixed at the sum of \$250.00 plus court cost unless good cause shown. Litigants desiring the appointment of an attorney to represent an absentee shall deposit the fee in advance with the Clerk of Court, and shall certify to the Court in the order seeking such appointment that the fee has been paid in advance in full. The Court may order an additional fee for the appointed attorney should it be necessary for multiple court appearances or extraordinary efforts to discharge duties pursuant to the appointment.

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.5

Appendix - 24.5

Court-Specific Rules
Concerning Extensions
of Time To Plead in
Family Law Proceedings

Except for extreme emergencies, any ex parte application, including applications for an extension of time or continuance, shall be in writing and shall set out in detail the effort of the applicant to inform opposing counsel, or in the case of an unrepresented individual, the opposing litigant, of the content of the motion and the date and time the motion will be presented to the Court. Except for the most unusual circumstances, the Court shall hear from opposing counsel or litigant before acting on an ex parte motion.

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.6

Appendix - 24.6

Court-Specific Rules
Restricting the
Preparation of Answers
or Other Pleadings;
Procedure When a Self-
Represented Party Has
Filed an Answer

Title - IV	Chapter Title - Procedure
Chapter - 24	RULES, MOTIONS AND EXCEPTIONS
Rule - 24.7	Section A.
Appendix - 24.7A	There shall be a regular civil docket which includes Family Docketed cases for the three Parishes in the Eighteenth Judicial District each month.
Court-Specific Rules Concerning Scheduling Hearings and Trials	Section B. At the court's discretion, Family Law related matters that will take longer than 30 minutes per side shall be continued to a contested trial date. At the court's discretion and upon mutual agreement of the parties and counsel the matter can be heard in another parish. The attorney shall be responsible for obtaining the record from the clerk and returning same.

PRE-TRIAL BRIEFS

It shall not be necessary to file a pre-trial brief in connection with rules for spousal support or child support, unless there are unusual or complicated issues of law or fact to be considered or unless a party is seeking a deviation from the child support guidelines as set forth in R.S. 9:315, et seq.

PLEADINGS AND NOTICE

Section A.

Custody/Visitation Rules

See Rule 7, Section 10.

Section B.

Upon execution of an order by the Court, the Clerk of Court shall issue notice advising all counsel of record, and any unrepresented parties, of the date and time of the conference with the Hearing Officer, and compelling the attendance of the parties at said conference, with or without counsel. Said notice shall be mailed to counsel of record for the party filing the request for custody or visitation, or to the unrepresented party making such request, and shall be served upon the defendant-in-rule or respondent at the same time as service of the petition, motion, or rule to show cause.

Title - IV	Chapter Title - Procedure
Chapter - 24	ORDER OF BUSINESS
Rule - 24.7	Section A. Rule Day
Appendix - 24.7B	1. Docket Called; 2. Stipulations; 3. Uncontested matters; 4. Matters requiring argument only; 5. Conferences for settlement purposes in custody/visitation if requested by the Court. 6. Contested matters (conference may be requested when case is called for hearing); 7. All domestic violence petitions shall be heard in the same division handling such cases on a rule day, except as provided by Rule 6, Section 6.
Court-Specific Rules Concerning Order of Business	Section B. NUMBER OF CASES DOCKETED The maximum number of rules docketed for each rule day shall be thirty, exclusive of domestic violence cases and those cases docketed as extreme emergency matters by the Court. Section C. HOURS OF COURT

No cases shall be commenced after 5:30 p.m. Court shall close at 6:00 p.m., and if a case is not completed or if cases remain on the docket untried, such cases shall be carried over to the next available day.

Section D. ARREARAGE/CONTEMPT FORM

Motions filed seeking arrearages and/or contempt for failure to pay alimony and/or child support shall be accompanied by a schedule of arrearages in the form attached to and made part of this rule. Failure to comply with this rule may result in sanctions provided by law. (SEE FORM B)

Section E.

On Family Docket rule days in any Parish, there shall be a morning hour where confirmations and other uncontested matters may be taken up commencing at 9:00a.m. The hearing of contested rules will commence thereafter.

Section F.

On days other than Rule days in any parish, when matters are regularly fixed for trial on the merits, at the discretion of the presiding Judge, entry of defaults, confirmation of defaults and other uncontested matters in the nature of a confirmation of default, may be taken up fifteen (15) minutes prior to the regularly scheduled court time.

Section D.

It shall be the responsibility of the attorney bringing a confirmation or uncontested matter before the court that is not fixed on the docket for that day to check out the suit record from the Clerk for submission at the hearing.

Title - IV

Chapter Title - Procedure

Chapter - 24

Except for extreme emergencies, any ex parte application, including applications for an extension of time or continuance, shall be in writing and shall set out in detail the effort of the applicant to inform opposing counsel, or in the case of an unrepresented individual, the opposing litigant, of the content of the motion and the date and time the motion will be presented to the Court. Except for the most unusual circumstances, the Court shall hear from opposing counsel or litigant before acting on an ex parte motion.

Rule - 24.8

Appendix - 24.8A

Court-Specific Rules
Concerning
Continuances in Family
Law Proceedings

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.8

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8B.pdf

Appendix - 24.8B

Uncontested Motion To
Continue (form)

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.8

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8C.pdf

Appendix - 24.8C

Contested Motion To
Continue (form)

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.9

Appendix - 24.9

Court-Specific Rules
Concerning Discovery

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.10

Appendix - 24.10

Court-Specific Rules
Concerning Setting of
Pre-Trial Conferences

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

Title - IV

Chapter Title - Procedure

Chapter - 24

CHILDREN IN THE COURTROOM

Rule - 24.12

Clients and witnesses shall be advised not to bring children to court, except in unusual circumstances where the child[ren] may be called as witnesses. When a child is to be a witness in a proceeding, arrangements shall be made to have the child on a stand by basis until their testimony is needed.

Appendix - 24.12

Court-Specific Rules
Concerning the Presence
of Children in the
Courtroom and/or

Title - IV	Chapter Title - Procedure
Chapter - 24	MENTAL HEALTH EVALUATIONS IN CUSTODY/VISITATION PROCEEDINGS
Rule - 24.13	Section A.
Appendix - 24.13	At the time of the Intake Conference with the hearing officer, if either party has moved for a mental health evaluation under La. R.S. 9:331, the parties or their respective counsel shall have an opportunity to provide a verbal statement and other documentary evidence of their positions to the hearing officer with regard to the custody and/or visitation issues before the Court. The hearing officer shall then determine whether the matter is appropriate for a mental health evaluation and if so, how the costs shall be apportioned pending the hearing on the merits of the custody and/or visitation proceeding.
Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings	Section B. If the hearing officer refers or the parties agree the matter to a mental health professional for evaluation, an Order for Custody Evaluation shall issue at the time of the Intake Conference, in substantial compliance with Form S (Order For Custody Evaluation). The Attorneys or parties shall send a certified copy of the order to the mental health professional and any unrepresented party, by certified mail, return receipt requested, to the address contained on the order, simultaneously with the mailing of Notice to all counsel of record. Parties shall exchange information with 15 days from mediation. Section C. An evaluation shall be pursuant to La. R.S. 9:331. Section D. At the conclusion of the mediation between the parties, the parties and /or their attorney shall report to the Court that the parties have reached a mediated agreement, and shall provide a memorandum of understanding to the parties and their respective legal counsel, summarizing the nature and substance of the parties' agreement. In the event no settlement was reached, the mediator shall report to the Court, the parties, and their respective legal counsel that the parties were unable to reach a mediated agreement.

Title - IV	Chapter Title - Procedure
Chapter - 24	
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

Title - IV **Chapter Title - Judgments and Stipulations**

Chapter - 25

Rule - 25.1

Appendix - 25.1

Court-Specific Rules on
Income Assignment
Orders

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

Appendix - 26.0A

Louisiana Protective
Order Registry Index of
Uniform Abuse
Preventive Order Forms
(Forms 1 through 23
Mandated by La. R.S.
46:2136.2(C))

Title - IV **Chapter Title - Domestic Violence Protective Orders**

Chapter - 26

Rule - 26.0 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0B.pdf

Appendix - 26.0B

Louisiana Protective
Order Registry Courtesy
Forms Index:
Instructions, Petitions,
Supplemental Forms, etc.

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

Chapter - 27

Rule - 27.0 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.0A.pdf

Appendix - 27.0A

La. C.C. art. 102 Divorce
Checklist (form)

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

Chapter - 27

Rule - 27.0

Appendix - 27.0B

Courts That Require the
Filing of a La. C.C. art.
102 Divorce Checklist,
the Entire Record, and/or
Other Documentation in
a La. C.C. art. 102
Divorce

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

Chapter - 27

Rule - 27.0

Appendix - 27.0C

Court-Specific Rules
Concerning Allowance
of Divorce by Affidavit
in a La. C.C. art. 102
Divorce

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

Appendix - 27.1A

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

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

Appendix - 27.1B

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

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

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

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

Chapter - 28 CONFIRMATION OF DEFAULTS AND UNCONTESTED MATTERS UNDER ARTICLE 103 OF
THE CIVIL CODE IN ACCORDANCE WITH C.C.P. 969 AND 1702E

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)

Section A. This rule unless permission is granted otherwise, applies to:

1. To all suits filed on or after 9-1-87;
2. To all suits for divorce under Article 103 of the Civil Code; and
3. To all confirmations of default judgments and all uncontested suits under the above previous (1) and (2).

Section B. DEFAULT CONFIRMATIONS UNDER ARTICLE 1702E C.C.P.

1. To confirm a preliminary default, plaintiff must submit:

- (a). A petition;
- (b). An affidavit executed by the petitioner within 30 days of rendering the Judgment of the petitioner specifically testifying as to facts sufficient to obtain a divorce; and

2. Individuals representing themselves must appear in open court to obtain a judgment of divorce.

3. These documents must be filed with the Courts' docket clerks of the proper division with a cover letter indicating the action desired and Divorce Form 2. Judgment will be signed and will include any ancillary relief stipulated to in the Judgment.

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

Appendix - 28.2B

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

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

Appendix - 28.3A

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

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

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

Appendix - 29.0A

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

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

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)

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

Chapter - 29 EX PARTE CUSTODY ORDERS CIVIL WARRANTS, TEMPORARY PROVISIONAL CUSTODY
AND VISITATION RIGHTS

Rule - 29.0

Appendix - 29.0C

Court-Specific Rules
Concerning Ex Parte
Custody Orders

Section A. All applications for ex-parte custody shall comply with Louisiana Code of Civil Procedure article 3945 and shall be presented on the form incorporated in the section of these rules on FORM(S) E AND F.

Section B. Applicants shall notify the court of the intent to appear and present the application. All applications shall be delivered to the Judge within a reasonable time for review.

Section C. If an ex-parte change of custody is sought, the record must accompany the application.

Section D. Any order granting temporary ex-parte custody shall contain a provision which prohibits both parents (parties) from changing the child's/children's residence from the 18th JDC. If the 18th JDC is not the residence of the child at the time the order is presented to the duty judge, such fact shall be called to his/her attention.

Section E. The petition shall provide for a rule to show cause in the proper division.

Section F. Applications for Civil Warrants shall be presented to the judge.

Section G. The Hearing Officer may make recommendations at the Intake Conference on application for ex-parte custody and to extend or modify the Temporary/provisional custody and visitation orders. If the hearing officer is unavailable presentation shall be made to the appropriate Judge.

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

Chapter - 29

Rule - 29.1

Appendix - 29.1

Court-Specific Rules
Concerning Temporary
Custody Orders

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

Appendix - 29.2A

Joint Custody Plan (With
Domiciliary Parent)
(form)

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

Chapter - 29

Rule - 29.2 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2B.pdf

Appendix - 29.2B

Joint Custody Plan
(Without Domiciliary
Parent) (form)

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

Chapter - 29

Rule - 29.3

Appendix - 29.3

Court-Specific Rules
Concerning Parenting
Classes

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

Chapter - 29 **MEDIATION OF CHILD CUSTODY
AND VISITATION ISSUES**

Rule - 29.4

Appendix - 29.4

Court-Specific Rules
Concerning Mediation

Section A.

At the time of the Intake Conference with the hearing officer, the parties or their respective counsel shall have an opportunity to provide a verbal statement of their positions to the hearing officer with regard to the custody and/or visitation issues before the Court. The hearing officer shall then determine whether the matter is appropriate for mediation.

1. In the event the issues appear to require only one mediation session, the case may be mediated by court officers who have been trained to mediate custody and visitation matters in accordance with LSA RS 9:334. However, in no event may a court officer who will be serving as a Hearing Officer for

support issues mediate a custody or visitation issue.

Section B.

If the hearing officer refers the matter to mediation, an Order of Mediation shall issue at the time of the Intake Conference, in substantial compliance with Form R (Order of Mediation).

Section C.

At any time the Judge may refer any matter he/she deems fit for mediation.

Section D.

The Clerk of Court shall accept all court filings made by the mediator without any filing fee from the mediator, but the cost of filing shall be taxed as costs of court.

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

Appendix - 29.5

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

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

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

Appendix - 30.0A

Sworn Detailed
Descriptive List (form)

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

Appendix - 30.0B

Sample, Completed
Sworn Detailed
Descriptive List (form)

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

Appendix - 30.0C

Joint Detailed
Descriptive List (form)

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

Appendix - 30.0D

Sample, Completed Joint
Detailed Descriptive List
(form)

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

Chapter - 30

Rule - 30.0

Appendix - 30.0E

Court-Specific Rules
Concerning Detailed
Descriptive Lists

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

Chapter - 30

Rule - 30.1

Appendix - 30.1

Court-Specific Rules

Title - IV	Chapter Title - Partition of Community Property
Chapter - 30	PARTITION OF COMMUNITY PROPERTY
Rule - 30.2	Section A. Commencement of Proceedings.
Appendix - 30.2	All partitions shall be filed in the same suit number of the divorce and/or separation of property action between the same parties. All partition actions, petitions shall include a description of the claims the party seeks to have decided by the Court, and shall comply in all other respects with La. R. S. 9:2801.
Court-Specific Rules Concerning Partition of Community Property	Section B. Sworn Detailed Descriptive List. 1. In a case in which the first pleading requesting a partition contains a sworn detailed descriptive list, that pleading shall include an order adopted by the court requiring that: (a). The opposing party files a sworn detailed descriptive list within 45 days of service on opposing party of the first pleading requesting a partition; and (b). Within 60 days of the date of the last filed sworn detailed descriptive 2. In a case in which the first pleading does not contain a sworn detailed descriptive list, it shall contain an order requiring that: (a). Both parties file sworn detailed descriptive lists within 45 days of service on the opposing party of the first pleading requesting a partition; and (b). Within 60 days of the date of the last filed sworn detailed descriptive list each party shall traverse or concur in the list of the other party. 3. A sworn detailed descriptive list shall contain a section setting out a proposed monetary value (if reasonably within the knowledge of the affiant), or alternatively, the value at which affiant would be willing to buy or sell each asset. (See Form H) 4. If a sworn detailed descriptive list is filed before that of the respondent, the respondent's sworn detailed descriptive list shall follow the order and form of the first filed sworn detailed descriptive list, and shall state concurrence or traversals as to each item and the reason for traversal. Additions for assets and debts, reimbursements or other claims not listed in the first detailed descriptive list filed can be made. 5. Respondent's sworn detailed descriptive list shall be filed in conformity with the court order no later than 45 days from service of the original pleading requesting partition. No ex parte extensions will be granted, except as provided in Rule 33. All requests for extension shall be by contradictory motion, or with consent of all counsel. Section C. Pretrial Procedures 1. Either party may request a pre-trial conference by submission of a consolidation of the sworn detailed descriptive lists, (similar to Form H) and a statement of contested issues of fact and law. The parties shall jointly submit a proposed pretrial order. (See Form I) Alternatively, one party may request from the appropriate judge, a status conference or an order compelling pre-trial inserts from the opposing party. 2. At the pre-trial conference, the Court shall, if appropriate, fix a date for a hearing on the classifications of issues; and in all cases, shall fix a date for a submission of a completed pretrial order; and shall fix a date for trial on the merits. If appropriate, the Court may also establish a deadline for discovery, fix a date for filing pre-trial memoranda accompanied by a party's proposed allocation of assets and liabilities, appoint experts, and render any other appropriate order. (See Attached Revised Case Management Form) Section D. Extensions And Continuances.

See Rule 33

Section E. Sanctions.

See Rule 34

Section F. Summary Proceedings

The Court may, on motion of either party, or on its own motion, require a separate hearing on contested issues of law prior to a trial on the issues of valuation, allocation of assets, liabilities and reimbursements. Decisions on questions of law shall be considered preliminary findings in nature for appeal purposes. No appeal may be taken until the final judgment covering all the issues is signed. See Louisiana Code of Civil Procedure Article 1915.

Section G. Alternatives For Resolution Of Disposition Of Assets

The parties may choose, or the court on its own motion, may order one or more of the following four alternatives:

1. Auction to be conducted using the bid list form; (See Form K).
2. Alternative Selection: The compiled lists, as described above shall be divided randomly or by process agreed upon by the parties according to category containing the name/description of an item from the first category. That party shall then set a price for the first item, alternating thereafter. The other party has the option to buy or refuse the item at that price. If the party refuses, then the party, who drew the item and set the price, must purchase the property at that price. The parties then alternate drawing from the category until the disposition of all items in that category. The parties shall continue in this process for all categories.
3. Appraisal Preliminary to Partition: Within thirty (30) days of submission of a joint written motion signed by either parties or their counsel, the Court shall appoint such appraiser(s) as, in its discretion, are required to determine the fair market value of both movables and/or immovables. Fees and costs associated with the work of the appraiser(s) shall be taxed as costs of court and shall be considered in the final accounting. Both parties shall share equally the fee and costs of appraisal, except for those instances in which it can be shown at a contradictory hearing within ten (10) days of the filing of the appraisers' report that failure to cooperate increased the fees and costs of the appraisal(s). When there are liquid assets of the community, the court may order the fees and costs of the appraisal(s) to be paid from those liquid assets prior to a final accounting. At the time of the appointment of the appraiser(s), the court may order the parties, to deposit in advance estimated fees and costs into the registry of the court; and
4. Dispute Resolution: The judge may appoint an expert pursuant to La. R.S. 9:2801(3). The expert chosen by the trial judge shall, absent an agreement between the parties, determine the method of division of assets and reimbursement of credits between the parties. The expert shall meet with counsel for the parties (or parties in proper person) to arrange a date and location for the division to occur. The dispute resolution agreement arrange a date and location for the division to occur. The dispute resolution agreement shall be signed by both parties and their counsel and submitted to the trial judge for signature.

Title - IV

Chapter Title - Other Rules

Chapter - 31

Rule - 31.0

Appendix - 31.0

Court-Specific Rules
Concerning Use of
Electronic and Recording
Devices

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

Chapter - 31

Rule - 31.1

Appendix - 31.1

Court-Specific Rules
Concerning Oral
Arguments

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

Chapter - 31

Rule - 31.2

Appendix - 31.2

Court-Specific Rules
Concerning Enrollment
and Withdrawal of
Counsel

Section A. Prior to the mailing of a notice of assignment for trial by the Court, any attorney may be permitted to withdraw, ex-parte, his/her representation of a party. The ex parte order shall be presented to the appropriate judge with a certification that there are no hearings scheduled; otherwise, a conference with the presiding judge is required.

Section B. Following the mailing of such notice, an attorney may withdraw his/her representation of a party litigant only upon contradictory motion for good cause shown. All opposing counsel is to be served with a copy of the motion and order to show cause. The Court shall not grant the motion if to do so would necessitate the reassignment of the case for trial, unless consented to by opposing counsel.

Section C. An attorney who has been permitted by ex parte order to withdraw shall give notice of same to all other counsel. In all cases of withdrawal, the attorney, by certified mail, must advise that he/she is no longer of counsel and shall further advise other counsel of the status of the case on the Court's docket.

Section D. Nothing in this rule shall be construed to prevent the substitution of counsel at any time prior to commencement of trial, provided the motion to substitute is signed by both the withdrawing and the enrolling attorney and does not necessitate the reassignment of the case for trial unless by consent.

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

Chapter - 31

Rule - 31.3

Appendix - 31.3

Court-Specific Rules
Concerning
Collaborative Divorce
Procedures

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

Appendix - 32.0A

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

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

Chapter - 32 HEARING OFFICERS

Rule - 32.0 Section A.

Appendix - 32.0B

Court-Specific Rules on Hearing Officers and Domestic Commissioners

Pursuant to LSA-R.S. 46:236.5 this Court, hereby implements an expedited process for the establishment, modification and enforcement of support obligations and family related matters by authorizing and directing Judges assigned to the Family Docket to nominate one or more Hearing Officers, with the approval of a majority of Judges of the Eighteenth Judicial District Court, to hear family law related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.

Section B.

Unless otherwise ordered by a judge of this Court, the Hearing Officer shall perform Hearing Officer Conferences on all matters filed on the Family Docket. Any request to have the matter heard by the Court, without a Hearing Officer Conference in advance of the court hearing, shall be presented to the Hearing Officer, who shall then present the request to the presiding Judge with an appropriate recommendation regarding whether a Hearing Officer Conference should take place or may be bypassed.

Section C.

Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Judges of this Court which are consistent with LSA R.S. 46:236.5, as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from appearing or practicing before the Eighteenth Judicial District Court.

Section D.

The entire Court, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired or employed to implement this procedure.

HEARING OFFICER RULES

Section A.

Intake Conference Order.

1. After filing initial pleadings with the Family Docket, all parties will be required to attend an Intake Conference with the assigned Hearing Officer.
2. The initial Intake Conference will be scheduled within twenty-one (21) days following the filing of the pleading.
3. If, however, the court determines that there exists a situation of immediate danger or urgency, the initial conference will be scheduled at an earlier date at the request of the parties. If Ex Parte custody see Rule 21.
4. At the Intake Conference, the Hearing Officer will determine the issues of the case and make recommendations.

Section B.

Child Support, Spousal Support, Custody and Visitation

1. The hearing officers will make recommendations in all child support and all spousal support matters as follows:

2. At an Intake Conference, where child support or spousal support is an issue, both parties shall submit to the hearing officer the following items:

(a) A current Income and Expense Affidavit substantially in compliance with Form A.

(b) The last three (3) years of their state and federal income tax returns, including all attachments, specifically all schedules, W-2 forms, 1099 forms and amendments.

(c) The last four (4) pay check stubs. In the event no paycheck stubs are available, other appropriate documentation shall be attached.

(d) If a party is self-employed or employed by a closely held business entity in which the party has an ownership interest, that party shall be required to submit to the court business and personal tax returns for the previous two (2) years, check registers, bank statements and canceled checks for their personal and business accounts and their business credit card statements for the previous twelve (12) months.

(e) Any information concerning health insurance, including proof of health insurance, such as cards or policies and the cost of the health insurance.

(f) Any information concerning day care costs, including proof of costs such as the day care fee schedule and canceled checks for at least four (4) months if available.

(g) Private School

3. If one party does not provide the necessary financial information for the Intake Conference to make a determination as to the amount of child support or spousal support, then the hearing officer will have the authority, within their discretion, to set an interim child support or spousal support amount based on the financial information provided by the other party. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. The party who failed to provide the necessary financial information at the Intake Conference may request a new Intake Conference date to provide the necessary financial information and to recalculate the child support or spousal support.

4. Any party requesting attorney fees pursuant to a Contempt proceeding should provide the Court with an itemized account reflecting the time spent and the hourly rate charged in preparation of the Contempt proceeding.

Section (B) (1)

Protective Orders and Domestic Abuse Petitions

1. Pursuant to LSA R.S. 46:2135(I) all initial rules to show cause why a protective order should not issue shall be heard by a Hearing Officer, appointed in accordance with the procedures provided in LSA R.S. 46:236.5 and Local Rule 24, and subject to the following procedures.

2. Upon filing of any petition alleging domestic abuse under Title 46 of the Louisiana Revised Statutes, the Clerk of Court shall refer the petition to the Duty Judge or Hearing Officer for the purpose of reviewing the petition and granting or denying a temporary restraining order. Upon the granting of the temporary restraining order the matter shall be fixed for hearing before the Hearing Officer on the next available date currently designated as child support court or temporary restraining order court in each respective parish.

3. The Hearing Officer shall take testimony, make findings of fact and a recommendation to the District Court. If no appeal is requested, the District Judge shall approve and sign the appropriate Uniform Abuse Prevention Order and forward it to the Clerk of Court without delay. The Clerk of Court shall transmit the Uniform Abuse Prevention Order to the central registry by facsimile transmission as expeditiously as possible, but no later than the end of the next business day after the order is filed with the Clerk of Court.

4. Should any party request an appeal/objection to the District Court, such appeal/objection must be perfected according to the procedures set forth below in Section C.

Section C.

Objection/Appeal

1. If objections are made to the hearing officer's recommendation, (FORM O) (Objection to Hearing Officer Recommendation) must be completed and filed into the record.
2. After the hearing officer makes the recommendation, the parties will have three (3) days, exclusive of legal holidays, and weekends from the date of the hearing, to object to the hearing officer recommendation.
3. Should any party request an appeal to the District Court, such appeal must be perfected according to the procedures set forth here and the parties shall be directed to the District Judge, where the appeal shall be heard, by contradictory hearing, as expeditiously as possible but no later than the next regularly scheduled civil motion day following the request for an appeal.
4. If an objecting party does not appear at the time on which the matter is scheduled for trial, then the judge shall accept, reject, or modify in whole or in part the findings of the the hearing officer.
5. If the hearing officer's recommendation is not objected to within three (3) days, then the hearing officer's recommendation becomes a final order and may thereafter be presented to the court for signature as a final judgment. The Hearing Officer's recommendation must be attached to the final order along with a child support worksheet.
6. If both parties agree to the hearing officer's recommendation on the day of the Intake Conference, and then the hearing officer's recommendation may become a final order. Both parties must sign a waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing recommendation must be attached to the final order.
7. If the hearing officer's recommendation is objected to, then the hearing officer's recommendation becomes an interim order pending the final disposition of the claims by the Court. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side.
8. If the parties reach a stipulation, they waive their right to objection/appeal to the District Court Judge. Thereafter, if change is sought the appropriate pleadings must be filed.

Section D.

Custody and Visitation

1. If the parties do not agree to custody and/or visitation, the hearing officer will determine if the case needs to be referred to mediation, psychological evaluations, or set for a hearing before the Court.
2. If mediation or psychological evaluations are recommended by the hearing officer at the Intake Conference, the hearing officer will determine, at the Intake Conference, the terms and conditions upon which the parties are to pay for the mediation or psychological evaluations and prepare an order to that effect in compliance with (FORM Q & R).
3. The parties who have been referred to mediation or psychological evaluations will be required to exchange proof to the Court as to the appointments set for mediation or evaluations within fifteen working days after the Intake Conference.

Section E.

Continuance

Where the parties agree on a continuance and the date, it will be necessary for each attorney to fax correspondence to the Hearing Officer stating the above. The correspondence shall include the caption of the case, docket number and parish along with the current date the hearing is set for, the new date agreed upon and the signatures of BOTH parties. Otherwise, a formal motion shall be filed and a contradictory hearing will be held.

NON-SUPPORT (CIVIL AND CRIMINAL)

Section A.

Pursuant to Louisiana R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court implements an expedited process for the establishment, modification and enforcement of support

obligations by appointment of one or more Hearing Officers to hear support and support-related matters. The Hearing Officers shall act as a finder of fact and shall make recommendations to the Court. At the conclusion of the hearing, the Hearing Officer shall render a written recommendation to the Court.

Section B. Administrative Fee for Expedited Process.

Pursuant to the authority of R.S. 46:236.5, in all Title IV-D Social Security Act cases presently pending and arising in the future, the Court shall assess an additional five (5%) percent to each support obligation, including existing arrearages and future arrearages, as well as ongoing support payments, beginning February 1, 1994, in accordance with the rule as adopted by the Eighteenth Judicial District.

Unless otherwise ordered by the Court, the minutes of the Court shall reflect the amount made executory followed by the words "plus five (5%) percent thereof as a fee to fund the administrative costs of expedited process."

Section C. Filings and Pleadings.

All pleadings and motions pertaining to Non-Support shall be filed with the Non-Support Docket Clerk.

Section D. Docketing of Cases, Development of Forms.

The Eighteenth Judicial District's District Attorney's Office, Non-Support Division, and the Louisiana Department of Social Services, Support Enforcement Services (SES) shall cause to be docketed, all non-support cases, pertaining to the establishment, collection and enforcement of support orders. Such cases shall be heard by a Hearing Officer appointed by the Eighteenth Judicial District's Family Docket to preside over non-support hearings. The Eighteenth Judicial District's District Attorney shall be the prosecuting officer in these cases and shall have a representative in Court when such cases are docketed.

The Hearing Officers are authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through Court, subject to Court approval.

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

Title - IV

Chapter Title - Hearing Officer Procedures for Domestic Violence Protective Orders

Chapter - 34

DOMESTIC VIOLENCE PROTECTIVE ORDERS

Rule - 34.0

Section 1. The forms, notices and orders required by La. R.S. 46:2131 et seq., and specifically, R.S. 46:2138 are available in the office of the Clerk of Court.

Appendix - 34.0

Court-Specific Rules
Concerning Hearing
Officer Procedures for

Section 2. On petitions for protective orders, whether in conjunction with any other pleading or separate from any other action, the Court will accept ONLY those forms designated and approved and made available by the Clerk of Court, or an exact duplicate as mandated by law. Copies of forms may be obtained from the Clerk of Court, the Louisiana Protective Order Registry, 1555 Poydras Street,

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
Rulings of Hearing
Officer or Domestic
Commissioner; Time for
Filing

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

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

Appendix - 35.4

Stipulation Form (form)

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

Chapter - 35

Rule - 35.5

Appendix - 35.5

Court-Specific Rules
Concerning Objections to

2. Has been transferred by the juvenile division for criminal courts for prosecution and liability as an adult.

B. Abandonment proceedings.

C. Child in need of care proceedings.

D. Child in need of supervision proceedings.

E. Families in need of services proceedings.

F. Parents in need of supervision proceedings.

G. Involuntary termination of parental rights proceedings.

H. Voluntary termination of parental rights proceedings.

I. Adoption proceedings.

J. Civil and criminal non-support.

K. URESA proceedings.

L. Traffic.

M. Mental health proceedings pursuant to Title XVI of the Louisiana Children's Code.

N. Any proceedings necessary to implement the provisions of interstate compacts affecting children pursuant to Title XVI of the Louisiana Children's Code.

Section B. CINC SCHEDULING

Child in Need of Care

In order to comply with the Children's Code and Federal ASFA legislation and regulations, any hearings in CINC cases or Termination of Parental Right's cases which must be commenced prior to when the next regular juvenile hearing day is scheduled may be set on any day and at any time and shall take preference over any other non-preferential matter.

Section C. DELINQUENCY SCHEDULING

Delinquency hearings shall be scheduled as set forth in compliance with the Louisiana Children's Code.

Section D. CHILDREN IN FOSTER CARE

1. It shall be the policy of this Court that when the State of Louisiana has been granted custody of a child and that child is placed in foster care, this Court shall immediately implement the procedures required by law.

2. This Court shall review all children in foster care to ensure it is in the best interest of each such child that he remain in foster care, or be returned to his home, or parental rights be terminated as the best interest of the child may dictate.

3. This Court shall observe the federal guidelines in connection with the review of said child in foster care; and therefore a permanent plan for each such child shall be developed.

Section E. DELINQUENCY PROCEEDINGS

In order to provide the information required by Children's Code Article 826©, all juveniles detained in the district shall be drug tested in accordance with C.Cr.P. Art. 336. Each juvenile detained shall pay to the agency administering the drug test a testing fee of Ten (\$10.00) Dollars as a condition of his/her release.

Section F. CASA

In all appropriate cases, the court will appoint a CASA. The CASA shall be entitled to access to all information from all sources, which the law permits.

III. ADOPTIONS

Section A. Adoption Proceedings

All adoption petitions shall be filed with the Civil Clerk and entered in the special "Adoption Docket".

Section B. Uncontested Adoptions

Petitioners and counsel shall be present and prepared to proceed at the place, date and time fixed for the hearing. The hearing may be conducted in Chambers at the discretion of the Judge. The presence of petitioners at the hearing may not be waived except with approval of the Judge, if the petitioners are unavailable and their testimony at the hearing would be substantially the same as the information provided to the Department of Social Services for preparation of the confidential report.

Counsel shall submit the original decree and at least one (1) copy of the decree to the Court. Counsel may submit as many copies of the decree as required by Counsel.

Section C. Contested Adoptions, Appeals

In order to prevent delays that may destroy the natural parent's rights under the adoption statutes or have a harmful effect upon the child, all contested private adoptions shall proceed expeditiously and within the following time frames:

1. Upon receiving formal or written informal notice signed by the contesting parent that an adoption proceeding is contested or, if an objection is otherwise filed to the adoption, the Court shall schedule a hearing and decide the issue of parental rights, best interest of the child, or any related issues within twenty (20) days of the Court's receipt of such notice.

Section D. Submission of Confidential Reports

Confidential adoption reports from Department of Social Services are due at least seven (7) prior to date of the hearing for the Judge's review.

Title - V**Chapter Title - Adoption Proceedings****Chapter - 46****Rule - 46.0****Appendix - 46.0**

Court-Specific Rules
Concerning Filing of
Pleadings and Required
Exhibits in Adoption
Proceedings

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

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

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

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

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

