# RULES FOR LOUISIANA DISTRICT COURTS

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

# **Second Judicial District Court**

#### Parishes of Bienville, Claiborne and Jackson

# Title - I

# **Chapter Title - Dates of Court**

Chapter - 2

**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.

Annual Mtg of LA State Bar Assn - 1st or 2nd week in June; Opening Ceremony of LA Supreme Court and Judges Fall Conference - 1st Monday and Tuesday of October; No court held last 2 weeks in Dec.

#### Title - I

#### Chapter - 3

# **Rule - 3.1**

Appendix - 3.1

Divisions or Sections of Court

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

This Court shall sit in three divisions, denominated as "Division A", "Division B" and "Division C".

The judges of the divisions of the Court shall sit on a rotating basis between the three parishes of the district according to a schedule to be fixed by them.

#### SITTING OF JUDGES

The three Judges now sitting in the Second Judicial District, and/or their successors in office shall sit in each of the respective parishes of the District as follows:

MONTH	WEE	BIENVILLE PARISH	CLAIBORNE PARISH	JACKSON PARISH
JANUARY	1	DIVISION C	DIVISION A	DIVISION B
	2	DIVISION A	DIVISION B	DIVISION C
	3	DIVISION C	DIVISION A	DIVISION B
FEBRUAR	Y 1	DIVISION C	DIVISION A	DIVISION B
	2	DIVISION B	DIVISION C	DIVISION A
	3	DIVISION C	DIVISION A	DIVISION B
MARCH	1	DIVISION A	DIVISION B	DIVISION C
	2	DIVISION C	DIVISION A	DIVISION B
	3	DIVISION A	DIVISION B	DIVISION C
APRIL	1	DIVISION C	DIVISION A	DIVISION B
	2	DIVISION B	DIVISION C	DIVISION A
	3	DIVISION C	DIVISION A	DIVISION B
MAY	1	DIVISION C	DIVISION A	DIVISION B
	2	DIVISION A	DIVISION B	DIVISION C
	3	DIVISION C	DIVISION A	DIVISION B
JUNE	1	DIVISION C	DIVISION A	DIVISION B
	2	DIVISION B	DIVISION C	DIVISION A

3	DIVISION C	DIVISION A	DIVISION B
JULY	AS ORDERED		
AUGUST	AS ORDERED	)	
SEPTEMBER 1	DIVISION C	DIVISION A	DIVISION B
2	DIVISION A	DIVISION B	DIVISION C
3	DIVISION C	DIVISION A	DIVISION B
OCTOBER 1	DIVISION B	DIVISION C	DIVISION A
2	DIVISION C	DIVISION A	DIVISION B
3	DIVISION B	DIVISION C	DIVISION A
NOVEMBER 1	DIVISION C	DIVISION A	DIVISION B
2	DIVISION A	DIVISION B	DIVISION C
3	DIVISION C	DIVISION A	DIVISION B
DECEMBER 1	DIVISION C	DIVISION A	DIVISION B
2	DIVISION B	DIVISION C	DIVISION A

#### Title - I

Chapter - 3

**Rule - 3.2** 

Appendix - 3.2

**Duty Judges** 

Amended effective April 29, 2009; amended effective March 15, 2023.

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

All initial pleadings must be presented to the Clerk of Court for random allotment to a Division, with the exception of those pleadings which may be presented to the duty judge as more specifically set forth hereinbelow. Thereafter, all pleadings in allotted cases that require an order prior to rendition of judgment must be presented to the presiding judge of the Division to which the case has been allotted. All such pleadings shall contain the appropriate designation of either the Division or name of the judge appearing thereon.

Related cases will be assigned to the Division of the Court to which the lowest number of the case was allotted. Related cases are cases arising out of the same accident, transaction, or occurrence. Cases asserting the same or substantially the same claims, refiled after dismissal without prejudice either voluntarily or involuntarily shall also be considered related cases. It shall be the duty of every lawyer enrolled in related cases to call to the Court's attention the fact that it is a related case.

Those pleadings in uncontested Succession and Tutorship matters, Domestic Abuse Restraining and Protective Orders, Minor's Settlements, Adoption Proceedings, Executory Proceedings, and other Collection Matters are routinely presented to the duty judge available in Chambers before filing with the Clerk, and, therefore, shall not be allocated to a Division unless and until a controversy arises in connection therewith, at which time it will be allotted in the same manner as is the filing of a new suit. All other pleadings and orders shall first be filed with the Clerk of Court as mandated herein.

Title - I

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

Chapter - 3

**Rule - 3.4** 

Appendix - 3.4

Court-Specific Rules Concerning Judges' Use of Electronic Signatures

#### 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 - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules

Chapter - 3

**Rule - 3.6** 

Appendix - 3.6

Court-Specific Rules Concerning Recording of Protected Persons Pursuant to La. R.S. 15:440.2

#### Title - I

# Chapter - 4

# Rule - 4.1

# Appendix - 4.1

Judicial Administrators and Clerks of Court

# **Chapter Title - Court Personnel**

Hon. James "Jim" W. Martin

Clerk of Court Parish of Bienville

100 Courthouse Drive, Room 100

Arcadia, LA 71001

Telephone: (318) 263-2123 Facsimile: (318) 263-7426

E-Mail: jimmartin@bienvilleparish.org

Hon. James Patrick Gladney

Clerk of Court Parish of Claiborne P.O. Box 330 Homer, LA 71040

Telephone: (318) 927-9601 Facsimile: (318) 927-2345 E-Mail: claib212@bellsouth.net

Hon. Ann Walsworth Clerk of Court Parish of Jackson P.O. Box 730 Jonesboro, LA 71251

Telephone: (318) 259-2424 Facsimile: (318) 395-0386

E-Mail: awalsworth@jacksonparishclerk.org

www.bienvilleparish.org/judges/judges2nd.asp

www.bienvilleparish.org/clerk

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	The respective Clerks of Court with the advice of the Second Judicial District Court, shall devise a			
Rule - 9.3	method for the assignment of cases to assure that the civil case load is equally divided among the Divisions and that judge or forum selection by litigants is prevented. All civil cases are randomly			
Appendix - 9.3	allotted at the time of filing to one of the Divisions of the Court.			
Allotments: Signing of Pleadings in Allotted and Non-Allotted Cases	For this purpose, the Clerks of Court or their duly authorized Deputy Clerks of Court, shall utilize an electronic or mechanical apparatus including but not being limited to a computer, approved by the Second Judicial District Court, which will contain an equal number of random chances for each Division of the Court. As each new petition or pleading is filed, and the payment of all costs chargeable thereto, the case shall be immediately and publicly allotted at random, utilizing the			
Amended effective	5,			

March 15, 2023.

approved method, until all have been exhausted, at which time the electronic apparatus shall reprogram with equal random chances for each Division of the Court, or the mechanical apparatus shall be designed in such a manner that the assignment to the Divisions will be solely by chance. The Division to which each case is allotted will be inscribed immediately upon the petition or pleading and the copy that is to be served. After a civil case has been allotted, it will remain in the Division to which it has been allotted unless it is transferred or consolidated with another case in accordance with the law. All subsequent filings and correspondence shall bear the suit number and Division designated.

This rule shall not prevent a judge from conducting a hearing regarding default judgments, or a hearing regarding uncontested matters in a civil proceeding allotted to another Division.

When a judge is recused, the Clerk of Court shall re-allot the case to another Division of the Court. In any pending civil matter that requires reallotment due to the recusal of the sitting judge of the Division in which the matter is pending, a chance for the Division in which the matter was pending prior to recusal shall be returned to the electronic or mechanical apparatus at the time of recusal and reallotment. This paragraph shall apply to recusal and reallotment of matters at any stage of said proceedings.

Existing cases that have never been assigned to a Division shall be randomly allotted to a Division at the time a new pleading is filed with the exception of those matters that are routinely presented to the 

#### Title - II

Chapter - 9

**Rule - 9.4** 

Appendix - 9.4

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

Amended effective April 29, 2009; amended effective March 15, 2023.

# Chapter Title - Procedure

All initial pleadings must be presented to the Clerk of Court for filing and random allotment to a Division. Thereafter, the judge assigned to the Division will act on all filings requiring orders or settings, with the exception of those pleadings which may be presented to the duty judge.

#### 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

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 - 9

#### Rule - 9.14

#### Appendix - 9.14

Fixing for Trial or Hearing; Scheduling Orders; Contact with Jurors

Amended effective March 15, 2023.

#### **Chapter Title - Procedure**

#### PRE-TRIAL PROCEDURE

- 1. Any party desiring to fix a case for trial shall, after all issues have been joined and after disposition for all contemplated or pending rules, motions, exceptions interrogatories, requests for admissions, depositions, or other discovery proceedings, and after all trial depositions have been taken and filed, make a written request for a pre-trial conference. The request shall be made in duplicate and 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; that all trial depositions have been taken and filed, 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. (See Form 1.)
- 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 exparte.
- 4. All cases shall be scheduled for a pre-trial conference before trial on the merits. All counsel are required to confer in advance of their pre-trial 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) 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. Counsel is required to request, and all counsel to attend, the pre-trial conference scheduled by the Court.
- 5. Upon receipt of notice from the Court that a date for a pre-trial conference has been fixed, it shall be the duty of counsel, who requested the conference, 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 so that he will receive it not later than two full judicial days preceding 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 reasons 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 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) 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 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. The following certification: "We hereby certify that we have conferred for the purpose of preparing this pre-trial order; and that we shall promptly attend the pre-trial conference as scheduled by the Court."
- (M)The following certification:

# ORDER

	ial (by jury) at 9:30 o'clock A.M., on the day of l jury charges) are to be submitted to the Court not later
than , 20 .	r jury charges) are to be submitted to the court not later
This the day of	, 20 .
JUDGE SECOND JUDICIAL DISTRICT COURT	
SECOND JUDICIAL DISTRICT COURT	

7. The pre-trial conference shall be by telephone, unless a personal conference is requested by one of the parties and/or ordered by the Court. It shall be the duty of the party who requested the conference to arrange the necessary phone connections, for the time set by the Court.

No conference shall take place unless the judge has received the proposed pre-trial order not later than two full judicial days preceding the day on which the conference is to be held.

8. Counsel who have certified the pre-trial order as submitted to the Court shall attend the Pre-trial Court conference as fixed by the Court 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.

9. At the conclusion of the pre-trial conference, the judge shall sign the order setting the case for trial (See Form 2) 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 presiding judge of the Division to which the case has been allotted. FORM 1 (Date) Honorable Clerk of Court Second Judicial District \_\_\_\_\_ Parish Courthouse , Louisiana RE: Suit No. Plaintiff vs. Defendant and Insurer (Request for Pre-trial Conference) The above-entitled and numbered cause is pending. We request a pre-trial conference in same and hereby certify that all pertinent information relative to the proceedings has been verified by examining the suit record and contacting all counsel; all issues have been joined; there are no contemplated or pending rules, motions, exceptions or any type of discovery proceedings, formal or otherwise; all known third party demands, interventions and amendments have been made; all possible consolidations have been effected; all trial depositions have been taken and filed; and, the case is ready for trial. We are sending a copy of this request to all counsel of record and/or other parties who, along with this writer, are to be notified of the conference. Their names and current addresses are: Mr. John Doe, Attorney 1521 Main Street Jonesboro, Louisiana 71251 Mrs. Jane Roe 510 Coralee Street Jonesboro, Louisiana 71251 We acknowledge the obligation for the parties to personally confer in advance of the pre-trial conference. We also acknowledge the obligation of the parties to submit a proposed pre-trial order to the Court two full days in advance of the pre-trial conference. Please verify receipt of this request on the attached copy and return to us in the self-addressed, stamped envelope enclosed for your convenience. This case is (is not) to be tried by jury. Very truly yours, Attorney at Law cc: cc: FORM 2. PRE-TRIAL ORDER PLAINTIFF NUMBER VERSUS SECOND JUDICIAL DISTRICT **COURT DEFENDANT** AND PARISH OF INSURER STATE OF LOUISIANA PRE-TRIAL ORDER

\_\_\_\_\_, Louisiana, on

Joe Blow ... For Plaintiff

Pre-trial conference was held before Honorable \_\_\_\_\_ the day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_M.

Jim Blow ... For Defendants

- 1. Plaintiff's Claim: That plaintiff was severely injured as the result of an automobile accident which occurred at the intersection of Third and Main Streets in the Town of Jonesboro, on May 15, 2022, said accident being proximately caused by the negligence of the defendant driver in that he ran a red light.
- 2. Defendants' Claim: Defendants deny negligence proximately causing the accident and, alternatively, plead the comparative fault of the plaintiff. Defendants further deny that plaintiff was injured except for minor abrasions and contusions.
- 3. Other Claims: None
- 4. Established Facts:
- (A) Plaintiff was involved in an automobile accident on May 15, 2022, and received certain injuries.
- (B) Plaintiff incurred medical expenses in the amount of \$5,000.00 as a result of injuries sustained in the accident.
- 5. Contested Facts:
- (A) All pertinent to a determination of legal fault as well as the nature and extent of plaintiff's injuries.
- 6. Contested Issues of Law: None
- 7. Exhibits: Photographs of the scene and respective vehicles.
- 8. Exhibit Authenticity: Admitted.
- 9. Amendments: None at this time.
- 10. Plaintiff's Witnesses:
  - (A) Himself and wife re: facts and disability.
  - (B) Reverend I.M. Goode, address, re: disability.
  - (C) Dr. Helpful, address, re: medical.
  - (D) Dr. Sympathetic, address, re: medical.
  - (E) Dr. Gettum, address, re: medical.
- 11. Defendants' Witnesses:
  - (A) Dr. Prejudice, address, re: medical.
  - (B) Dr. Neverhappen, address, re: medical.
- 12. Additional Matters: In the event that there are other witnesses to be called at the trial, their names and addresses and the general subject matter of their testimony will be reported to opposing counsel at least ten days prior to trial. This restriction shall not apply for rebuttal witnesses.

Plaintiff believes he can present his testimony in two and one-half hours.

Defendant believes he can present his testimony in one hour.

"We hereby certify that we have personally appeared at a conference pursuant to Sections 4 and 5 of Rule 22 of the Civil Rules of the Second Judicial District Court for the purpose of preparing this pretrial order, and that we shall promptly attend the pre-trial conference as scheduled by the Court."

ATTORNEY FOR PLAINTIFF
ATTORNEY FOR DEFENDANT

#### **ORDER**

IT IS ORDE	ERED that this c	ause be set for trial (by jury)	) at o'clock _	_M., on the	day of
	, 20	Trial briefs (special jur	y charges) are to b	be submitted to	the Court not
later than		, 20			
This the	day of	, 20			
Jud	ge, Second Judi	cial District Court			

#### Title - III

#### Chapter - 14

Rule - 14.0

Appendix - 14.0A

System of Random Allotment of Criminal Cases (Other than Traffic, Wildlife, and Appeals from Lower Courts)

#### **Chapter Title - Allotment of Cases**

#### PERMANENT ASSIGNMENT OF CRIMINAL MATTERS.

- 1. In Bienville Parish: The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between December 15 of any year and January 15 of the following year shall be permanently assigned to Division B. The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between July 15 and August 15 of any year shall be permanently assigned to Division A. The trial, related motions and preliminary matters in all other felony prosecutions shall be permanently assigned to Division C.
- 2. In Claiborne Parish: The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between December 15 of any year and January 15 of the following year shall be permanently assigned to Division C. The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between July 15 and August 15 of any year shall be permanently assigned to Division B. The trial, related motions and preliminary matters in all other felony prosecutions shall be permanently assigned to Division A.
- 3. In Jackson Parish: The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between December 15 of any year and January 15 of the following year shall be permanently assigned to Division A. The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between July 15 and August 15 of any year shall be permanently assigned to Division C. The trial, related motions and preliminary matters in all other felony prosecutions shall be permanently assigned to Division B.
- 4. In any case in which a defendant with a pending felony prosecution is subsequently charged with an additional felony or felonies, all felonies shall be permanently assigned to the Division to which the first pending prosecution was assigned.
- 5. In any case in which a defendant is charged with multiple counts occurring on different dates, the earliest occurrence date shall control the permanent assignment of the case.

Definition of "Preliminary Matters." The terms "related motions" and "preliminary matters" referred to above shall not include arraignment, motions to set or reduce bail bonds, or motions for a preliminary examination.

#### Title - III

# **Chapter Title - Allotment of Cases**

Chapter - 14

Misdemeanor, traffic and wildlife cases are set by citation for the arraignment day next following the issuance of the citation with trials fixed for month following arraignment.

Rule - 14.0

Random Allotment Traffic Offenses, Wildlife Offenses, and Appeals from Courts of Limited Jurisdiction)

Title - III

# **Chapter Title - Allotment of Cases**

Chapter - 14

Defendant with pending felony prosecution and charged with another shall be assigned to division first charges assigned to.

**Rule - 14.1** 

Appendix - 14.1

Multiple offenses on different dates the earliest occurrence date shall control permanent assignment of

Allotment - Defendant with More than One Felony Case

#### Title - III

#### Chapter - 15

Rule - 15.0

Appendix - 15.0

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

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

The present practice is that the judge of the division to which a felony prosecution has been assigned reviews the list of pending felonies with the prosecutors and defense attorneys at least once a month in a status or pretrial conference called an "Omnibus Hearing" in the Second Judicial District Court.

# FILING AND DISPOSITION OF MOTIONS, EXCEPTIONS AND RULES

All motions, exceptions and rules shall be submitted and determined after oral argument, unless the Court, for a good cause shown, orders otherwise. The party filing such a pleading shall serve and file with his motion, exception or rule, a brief written statement of the facts and reasons in support of the same and a memorandum of authorities on which he relies. If the motion, exception or rule requires the consideration of facts not appearing of record, he shall also serve and file copies of all photographs and documentary evidence he intends to present in support of his position. Each party opposing the motion, exception or rule shall serve and file no later than twenty-four hours before the hearing, a brief written statement of the facts and reasons advanced in opposition to the same and a memorandum of authorities on which he relies. If the motion, exception or rule requires the consideration of facts not appearing of record, he shall also serve and file copies of all documentary evidence or photographs which he intends to submit in opposition to the same. Any motion or exception and any opposition thereto which is filed without a memorandum of authorities annexed shall be summarily overruled and/or denied and may be called up by any opponent at any motion hour for this purpose. Attorneys appearing without filing such a memorandum of authorities will not be permitted to argue.

# Title - III

#### Chapter - 15

**Rule - 15.1** 

Appendix - 15.1

Appointment of Counsel

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

Appointment occurs at the 72 hour hearing if defendant is detained or in open court if defendant is free on a bail obligation. Except for Department of Corrections (DOC) prisoners at Camp David Wade Correctional Center (DWCC) or in the parish prisons, all appointments are made to the Second Judicial District Indigent Defender Board which hires indigent defenders. The DOC prisoners charged with new crimes while in prison are represented by attorneys who have a contract with the Louisiana Department of Public Safety and Corrections.

# 72-HOUR APPEARANCE

In lieu of the Code of Criminal Procedure Article 230.1 personal appearance of the defendant before a Judge of this Court, such appearance may be by telephone or audiovideo electronic equipment.

Title - III

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

Chapter - 15

District Attorney's Office accepts service through the Clerk's office.

Rule - 15.2

Appendix - 15.2

Alternative Method of Service on District Attorney

Chapter Title - Arraignment and Pleas

Chapter - 18

Title - III

Rule - 18.0

Appendix - 18.0

Waiver of Formal Arraignment and Pleas http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX18.0.PDF

Title - III

Chapter - 19

Rule - 19.0

Appendix - 19.0

Simultaneous Peremptory Challenges

#### **Chapter Title - Simultaneous Peremptory Challenges**

#### CRIMINAL JURY TRIALS

- 1. After the examination of prospective jurors in accordance with Code of Criminal Procedure Article 786, the Court may tender a prospective juror as provided by the first paragraph of Article 788 or, alternatively, may require simultaneous challenges as hereinafter provided in Sections 2 through 6.
- 2. When the aforesaid examination of prospective jurors has been completed and all challenges for cause ruled upon, the name of each remaining prospective juror shall be submitted to the state and the defendant, whereupon they shall simultaneously accept or peremptorily challenge each juror submitted.
- 3. The simultaneous acceptance or peremptory challenge of each juror shall be accomplished by the designation of the state and the defendant, on a written slip supplied to each by the Clerk of Court that each does either accept or challenge the juror.
- 4. The slips to be provided by the Clerk of Court shall bear the name of the prospective juror, the words "Accepted" and "Challenged, Peremptorily", a place for the parties to check which election they make, and a designation as to which party (state or defendant) is making that election. The slips used shall be filed of record.
- 5. If both the state and the defendant shall accept, the juror shall be immediately sworn. If either the state or defendant challenges, the prospective juror shall be excused and the use of a peremptory challenge by the appropriate party shall be noted. If the state and defendant both challenge, the prospective juror shall be excused and the use of a peremptory challenge by both the state and the defendant shall be noted.

Title - IV	Chapter Title - Application of Rules
Chapter - 22	
Rule - 22.0	
Appendix - 22.0	
Courts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings	
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

e - IV Chapter Title - Notice and Exchange of Information

Chapter - 23

Rule - 23.0

Appendix - 23.0F

Court-Specific Rules Concerning Arrearages All rules and petitions to make executory alimony and support judgments or in which a judgment of contempt is sought for failure to pay alimony or support judgments shall be accompanied by an original and three copies of an affidavit setting forth the following:

- a. A computation of all payments that have accrued under the judgment and are unpaid;
- b. An itemized list of all payments received showing date of receipt.

The defendant shall file a similar affidavit at least 24 hours prior to the time fixed for the trial thereof, unless excused by law.

See Section V of the Appendix 23.0B Family Law Affidavit.

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

Rule - 24.0	
Appendix - 24.0	
Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings	
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	
Rule - 24.4	
Appendix - 24.4	
Court-Specific Rules	

Chapter - 24

Concerning Appointment of Attorneys To Represent Absentee Defendants

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

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

**Rule - 24.7** 

Appendix - 24.7A

Court-Specific Rules Concerning Scheduling Hearings and Trials

Title - IV

**Chapter Title - Procedure** 

Chapter - 24

**Rule - 24.7** 

Appendix - 24.7B

Court-Specific Rules Concerning Order of Business

Title - IV	Chapter Title - Procedure
Chapter - 24	
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	

#### Title - IV

#### 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

# **Chapter Title - Procedure**

A. In addition to any hearing otherwise authorized by law to be held in chambers, civil hearings before the trial court in separation and divorce proceedings may be held in chambers in those instances where good cause is shown and with the mutual consent of the parties. These hearings shall include the contested and uncontested proceedings in rules for alimony, child support, visitation, injunctions or other matters provisional and incidental to separation and divorce proceedings.

- B. A motion for hearing in chambers pursuant to this Section may be made by either party or upon the court's own motion.
- C. Except for being closed to the public, the hearings held in chambers pursuant to this rule shall be conducted in the same manner as if taking place in open court. The minute clerk and the court reporter shall be present if necessary to perform the duties provided by law. (LSA-R.S. 9:314)

#### Title - IV

# **Chapter Title - Procedure**

Chapter - 24

Rule - 24.12

Appendix - 24.12

Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or **Hearing Officer** Conferences

Title - IV

**Chapter Title - Procedure** 

Chapter - 24

Rule - 24.13

Appendix - 24.13

Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings

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

Before a rule for divorce pursuant to La. C.C. Article 102 may be heard, the moving party must file into the record a certification setting forth dates of service of process and other matters as they appear on the checklist and certificate.

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 Default Judgments

Amended effective March 15, 2023.

All default judgments in family and domestic matters, whether in Jackson Parish, Bienville Parish, or Claiborne Parish, and whether assigned to the presiding Division or not, may be taken up and disposed of during Civil Motion Hour.

Requests for default judgments without court hearing pursuant to C.C.P. Articles 1702 and 1702.1 shall be presented to the Clerk of each parish and must be done in strict compliance with all provisions of those articles. The Clerk shall attach the required certificate before presenting any such matter to the judge. In each parish, the Clerk shall present them to the duty judge.

As to default judgment matters in which a defendant purports to accept service and waive citation will be considered only if defendant's action occurs after suit is filed and docket number assigned and if that act is executed under oath by a notary public or other appropriate officer.

Except in regard to stipulations of fact, orders or judgments, no matters will be considered in which an attorney has prepared a pleading or document for an unrepresented party opposing his client.

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)	
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
Appendix - 28.1B	
La. C.C.P. art. 1702(E) Divorce Checklist (form)	
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	
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	
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 - 29

Rule - 29.0

Appendix - 29.0C

Court-Specific Rules Concerning Ex Parte Custody Orders

Amended effective March 15, 2023.

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

All pleadings seeking an ex parte order for temporary custody of children shall strictly comply with C.C.P. Article 3945 and must be accompanied by a separate affidavit of the party seeking custody, setting forth all the facts surrounding when, where, how and under what circumstances physical custody of the child was obtained, and why an ex parte order for temporary custody is being sought. Said pleadings shall also refer to any prior or ongoing actions by the State of Louisiana Department of Children and Family Services (DCFS), if known, involving the same parties, even if with different children.

In all cases in which there has been no prior award of custody, the pleadings must first be presented to the Clerk of Court for filing and random allotment to a Division, if no allotment has been made previously. Once the case has been allotted to a Division, then the order must be presented to that judge for signing.

If custody has been awarded, an ex parte order to change custody must be presented to the judge who signed the original custody order, unless the custody order was obtained through a proceeding in motion hour and was not signed by the judge to whom the case was allotted. No ex parte order modifying a previous custody award shall be considered unless said order is necessary to protect the children from a clear and present danger of abuse and/or neglect, or unless immediate and irreparable injury is likely to result to the children if an order is not granted.

When presenting an order to a judge containing a request for an ex parte custody award in an existing record, the attorney shall make arrangements with the Clerk of Court to obtain the record for the judge's review.

Title - IV

Chapter - 29

Rule - 29.1

Appendix - 29.1

Court-Specific Rules Concerning Temporary Custody Orders **Chapter Title - Custody and Visitation 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)

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 - 29

Rule - 29.3

Appendix - 29.3

Court-Specific Rules Concerning Parenting Classes

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

A. In order to provide for the best interest of the children of parents who are involved in a contested custody matter, the parents shall participate in an educational program that is designed to make the parties more aware of the effects of separation and divorce upon their children and to acquaint them with methods of assisting minor children to cope with the stress of divorce and custody proceedings.

- B. All parties to a contested custody matter filed in the Court shall successfully complete the program "Helping Children Cope With Divorce". The parties shall promptly pay all fees associated with the program, as directed by the Court.
- C. The program shall be completed within sixty days of service of initial pleadings in the case and each party shall file a certificate of completion in the record.
- D. A party's failure to timely complete the program and/or pay all costs in connection therewith, shall subject the party to an appropriate action by the Court, including contempt of Court.
- E. The Court may waive the requirement of completion of the program, in individual cases, for good cause shown. The Court may also change the time by which the program shall be completed, in individual cases, for good cause shown.

Title - IV

**Chapter Title - Custody and Visitation Orders** 

Chapter - 29

Rule - 29.4

Appendix - 29.4

Court-Specific Rules Concerning Mediation

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

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 Concerning Appointed Special Masters and Experts

Title - IV

**Chapter Title - Partition of Community Property** 

Chapter - 30

**Rule - 30.2** 

Appendix - 30.2

Court-Specific Rules Concerning Partition of Community Property

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 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 http://www.lasc.org/rules/dist.ct/Title\_IV/APPENDIX\_32.0A.pdf Rule - 32.0 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 - 32

Rule - 32.0

Appendix - 32.0B

Court-Specific Rules on Hearing Officers and Domestic Commissioners

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

A. HEARING OFFICER, RELATED PERSONNEL AND PROCEDURES RELATIVE TO EXPEDITED PROCESS FOR THE ESTABLISHMENT, MODIFICATION AND ENFORCEMENT OF SUPPORT OBLIGATIONS

- 1. Pursuant to LSA-R.S. 46:236.5, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing one or more Hearing Officers, appointed by majority vote of the entire Court, to hear support and support related matters, and to hire and employ any and all such other personnel, agency or agencies deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.
- 2. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law in the Second Judicial District.
- 3(a). The District Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the making of a motion of appeal by either party. Such motion shall be in writing and shall be filed with the Clerk of Court within three (3) clear judicial days from the date of the hearing. Upon the filing of the motion, the Court shall schedule a contradictory hearing to be held before the Judge, who shall accept, reject or modify in whole or in part the findings of the Hearing Officer. If the judge in his discretion determines that additional information is needed, he may receive evidence at the hearing or remand the proceeding to the Hearing Officer. If no request for a hearing before a Judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal.
- 3(b). The Second Judicial District Attorney is authorized to develop the necessary forms for parties wishing to file a written motion requesting such a hearing before the District Judge and to provide those forms to such parties.
- 4. The entire Court, by majority vote, shall fix the salary of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.
- 5. In all Social Security Act Title IV-D (Aid for Dependent Children and Non Aid for Dependent Children) cases presently pending and arising in the future, each support payment, including existing arrearages and future arrearages, as well as ongoing support payments, is hereby increased by five per cent (5%) beginning June 1, 1992. On or after that date, all such obligors or payors shall make any and all such payments for support, including the additional five per cent (5%) amount, payable to the "Child Support Fund." Such payments shall be made only by money order or cashier's check and shall be mailed to the following listed address for the Parish in which the payor's support case is filed.

Bienville Parish address: Child Support Fund 601 Locust, Room 101 Arcadia, Louisiana 71001

Claiborne Parish address: Child Support Fund P.O. Box 66 Homer, Louisiana 71040

Jackson Parish address: Child Support Fund P.O. Box 397 Jonesboro, Louisiana 71251

6. Effective January 1, 1993, the following dates shall be fixed for the hearing of non-support and related matters pursuant to LSA R.S. 46:236.5, including the entry of preliminary defaults relating to such matters:

Jackson Parish -- the first Friday of each month at 9:30 A.M. Bienville Parish -- the second Friday of each month at 9:30 A.M. Claiborne Parish -- the third Friday of each month at 9:30 A.M.

Should it become necessary to make a temporary change or adjustment to the foregoing schedule, such change or adjustment shall be made by special order of the Court.

#### B. DOMESTIC ABUSE PETITIONS AND USE OF HEARING OFFICERS

- 1. Pursuant to LSA R.S. 46:2135(I), all initial rules to show cause why a protective order should not issue shall be heard by a Hearing Officer, appointed in accordance with the procedures provided in LSA R.S. 46:236.5 and Local Rule 29, and subject to the following procedures.
- 2. Upon the filing of any petition alleging domestic abuse under Title 46 of the Louisiana Revised Statutes, the Clerk of Court shall refer the petition to the duty judge for the purpose of reviewing the petition and granting or denying a temporary restraining order. Upon the granting of a temporary

restraining order, the matter shall be fixed for hearing before the Hearing Officer on the next available date currently designated as child support court in each respective parish. Hearings shall be scheduled at 1:00 p.m. on that date.

- 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 to the District Court, such appeal must be perfected according to the procedures set forth in this Appendix, and the parties shall be directed to the District Judge, where the appeal shall be heard as expeditiously as possible but no later than the next regularly scheduled civil motion day following the request for an appeal.

#### 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

Rule - 34.0

Appendix - 34.0

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

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 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 Hearing Officer Recommendations and Judgments of Domestic Commissioner

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 Hearing Dates

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	
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	Lucy// Locality Locality (COMPTRIM ECARDENIDAY) (0.2 DDE
Rule - 60.2 Appendix - 60.2	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.2.PDF
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/COURTRULESAPPENDIX 60.7B.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