

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

Title - I	Chapter Title - Court Personnel	
Chapter - 4	Hon. James “Jim” W. Martin Clerk of Court	www.bienvilleparish.org/judges/judges2nd.asp
Rule - 4.1	Parish of Bienville 100 Courthouse Drive, Room 100 Arcadia, LA 71001	www.bienvilleparish.org/clerk
Appendix - 4.1	Telephone: (318) 263-2123 Facsimile: (318) 263-7426 E-Mail: jimmartin@bienvilleparish.org	
Judicial Administrators and Clerks of Court	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	

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 All pleadings shall be filed with the Clerk of Court.

Rule - 9.4

Appendix - 9.4

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

Amended effective April
29, 2009

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

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 PRE-TRIAL PROCEDURE

Rule - 9.14 1. Unless otherwise provided by law, no suit requiring a trial on the merits may be assigned except at a pre-trial conference. Any party desiring to assign 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.

Appendix - 9.14 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 ex parte.

4. All cases shall be scheduled for a pre-trial conference before trial on the merits. Except for action initiated pursuant to R.S. 23:1021, et seq. (Workmen's Compensation), 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. In workmen's compensation cases, counsel are not required to confer nor prepare a pre-trial order. However, counsel is required to request, and all counsel to attend, the pre-trial conference scheduled by the Court.

5. Except in workmen's compensation cases and 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 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 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.

(M) 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."

(N) The following order:

ORDER

IT IS ORDERED that this cause be set for trial (by Jury) at 9:30 o'clock A.M., on the day of , 20 . Trial briefs (special jury charges) are to be submitted to the Court not later than , 20 .

This the day of , 20 .

.....
JUDGE
SECOND JUDICIAL DISTRICT COURT

6A. 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.

7. 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.

8. The trial date selected for the case, where possible, should not be more than fortyfive (45) days from the date of the pre-trial conference except where the months of July and August are involved.

9. In case of failure of any party or counsel for any party to comply with the pre-trial procedure described herein, the judges of the Second Judicial District shall impose uniform penalties as follows: In the case of a plaintiff, dismissal of his suit; and, in the case of a defendant, prohibition against presenting any evidence in chief other than his own testimony.

10. 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 judge setting the case for trial or his successor in office.

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 is (is not) a workmen's compensation case. 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

Pre-trial conference was held before Honorable at , Louisiana, on the day of, 20, at o'clock M.

Joe Blow For Plaintiff

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, 1970, 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 contributory negligence 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, 1970, and received certain injuries.
 - (B) Plaintiff incurred medical expenses in the amount of \$ 175.00 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.

Defendants believe they can present their 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 pre-trial 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 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 .

This the day of , 20 .

Judge, Second Judicial District Court

Title - III

Chapter Title - Allotment of Cases

Chapter - 14

PERMANENT ASSIGNMENT OF CRIMINAL MATTERS.

Rule - 14.0

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.

Appendix - 14.0A

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

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

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

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

Rule - 14.1

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

Appendix - 14.1

Allotment - Defendant
with More than One
Felony Case

Title - III

Chapter Title - Assignment of Cases and Preliminary Motions

Chapter - 15

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.

Rule - 15.0

Appendix - 15.0

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

**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 Title - Assignment of Cases and Preliminary Motions

Chapter - 15

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.

Rule - 15.1

Appendix - 15.1

Appointment of Counsel

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

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

Chapter - 19

CRIMINAL JURY TRIALS

Rule - 19.0

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,

Appendix - 19.0

**Simultaneous
Peremptory Challenges**

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

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

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
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

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

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

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 - 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

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

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

Rule - 29.0 All petitions seeking an ex parte order for provisional custody of children shall be accompanied by a separate affidavit of the party seeking provisional custody (similar to that appearing in Appendices 29.0A and 29.0B), setting forth all the facts surrounding when, where, how, and under what circumstances the child or children have been in the petitioner’s physical custody and the reasons why the petitioner is requesting an ex parte order for provisional custody.

Appendix - 29.0C

Court-Specific Rules
Concerning Ex Parte
Custody Orders

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

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

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
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

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

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

Rule - 32.0

Appendix - 32.0B

Court-Specific Rules on Hearing Officers and Domestic Commissioners

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

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

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