

TITLES I, II, and III

Chapter: 14 Chapter Title: Allotment of Cases

Appendix 14.1

Rule No: 14.1

Allotment - Defendant with More than One Felony Case

**1st Judicial District
Court
Parish of Caddo**

When a defendant has a pending criminal charge or is on probation and the defendant is charged with one or more additional crimes, then such new case or cases shall be assigned to the section of original assignment, except that new charges that would be assigned to Criminal Section 5 if the defendant was not otherwise on probation or with pending charges, shall be assigned to criminal Section 5.

**2nd Judicial District
Court
Parishes of
Bienville, Claiborne
and Jackson**

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

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

**3rd Judicial District
Court
Parishes of Lincoln
and Union**

Multiple defendants or multiple charges all allotted to one division which is responsible for sentencing, probation revocations & post conviction relief where defendant was sentenced by that judge. The Clerk of Court is responsible for assigning or reassigning cases to division in which other matters were allotted.

**4th Judicial District
Court
Parishes of
Morehouse and
Ouachita**

See Appendix 14.0A.

**5th Judicial District
Court
Parishes of
Franklin, Richland
and West Carroll**

Multiple charges arising out of the same investigation or events or occurring within a 180 day period shall be handled by the division having the Bill of Information or Indictment with the lowest number.

**6th Judicial District
Court
Parishes of East
Carroll, Madison
and Tensas**

Adopts Rule 14.1.

7th Judicial District Court

Parishes of Catahoula and Concordia

Amended effective September 20, 2012.

(A) If a defendant has an active felony case that has been allotted to a division of court and the defendant is arrested for one or more additional felony or misdemeanor offenses, then any such new case or cases shall be allotted to the court division presiding over the previously allotted felony case.

(B) If the defendant is on felony probation and is charged with one or more additional felony or misdemeanor offenses, then any such new case or cases shall be allotted to the division of court in which the defendant is on felony probation.

(C) In those criminal cases wherein multiple defendants are alleged to have participated in the same act or transaction or in the same series of acts of transactions constituting an offense or offenses, or there are multiple charges against one or more persons, or in such other cases as the law may allow joinder of one or more offenses or persons, all defendants shall be allotted to the division of court receiving the allotment of the first allotted defendant, unless one of the subsequently allotted defendants is on felony probation. In such cases, all defendants shall be allotted to the division of court in which any subsequently allotted defendant is on felony probation. In cases where multiple defendants are on felony probation in different divisions of court, all defendants shall be allotted to the division of court receiving the allotment of the first allotted defendant. For purposes of this rule, to avoid forum shopping, the procedure for allotting cases set forth herein shall apply by operation of the present rule, and shall not be considered a "transfer" pursuant to Louisiana District Court Rule 14.3, and shall not require the consent or hearing described in Rule 14.3.

(D) For purposes of this rule, a felony case, once allotted, remains active until any one of the following events occurs:

- (1) The statute of limitations runs;
- (2) A change of booking is made, reducing the case to a misdemeanor;
- (3) A bill of information or indictment is filed or amended, reducing the case to a misdemeanor;
- (4) The District Attorney's Office enters a nolle prosequi in a case;
- (5) The granting of a motion to quash; or
- (6) A finding of guilty (with sentence having been imposed), not guilty, or not guilty by reason of insanity is entered on the record

8th Judicial District Court

Parish of Winn

Single judge district.

9th Judicial District Court

Parish of Rapides

Multiple defendants and charges in all four classifications. The District Attorney shall assign or reassign subsequent cases to the division to which the first case or charge was allotted. (See Appendix 14.0A.)

10th Judicial District Court

Parish of Natchitoches

The allotment of cases to the two sections shall be by lot and by chance and shall be determined in the same manner and by use of the same method as civil cases are allotted on the civil docket. The allotment of cases shall be made at the time the District Attorney files the bill of information or bill of indictment, or as soon thereafter as practical, in the District Court or in the office of the Clerk of Court. However, if there are several indictments or bills of information against individuals arising out of the same events, all such cases shall be allotted to the division that receives the first, or lowest, number of such cases. It will be the duty of the District Attorney to notify the Clerk of Court of such cases. Subsequent criminal proceedings against any individual who has appeared in either Division "A" or Division "B" shall be referred to that division which originally heard the criminal matter related to that individual, regardless of whether the subsequent criminal

matter arose out of the same actions which originated the initial criminal proceedings.

**11th Judicial District
Court
Parish of Sabine**

When there are multiple cases pending against one defendant, they shall be transferred to one Judge for disposition. Cases shall be transferred to the Judge which has the most serious cases, that is, the one with the highest classification, if there are two or more in the same classification, then to the Judge presiding over the case with the lowest docket number, whether the defendant is charged alone or with others. A case shall be considered as pending until a plea of guilty or nolo contendere is entered, or a verdict of guilty is returned after trial.

**12th Judicial District
Court
Parish of Avoyelles**

Rule 14.1 is hereby adopted.

Amended effective
January 22, 2019.

If a defendant has a prior felony conviction and is on felony probation on the date the offense charge is alleged to have been committed, the new felony arrest shall be allotted to the Division wherein the prior felony conviction with resulting probation was obtained.

The current “probation-following-felonies” Rule shall also apply to any arrest of any co-defendants.

In the event that any such co-defendant is on felony probation in the other division, the new felony arrest shall be allotted to the Division wherein the first conviction of the co-defendants was obtained.

**13th Judicial District
Court
Parish of Evangeline**

Same method as used in Appendix 14.0A, regardless of how many felonies the defendant is charged with.

**14th Judicial District
Court
Parish of Calcasieu**

See Appendix 14.0A.

**15th Judicial District
Court
Parishes of Acadia,
Lafayette and
Vermilion**

Rule 14.1 is hereby adopted.

**16th Judicial District
Court
Parishes of Iberia,
St. Martin and St.
Mary**

Rule 14.1 is hereby adopted.

**17th Judicial District
Court
Parish of Lafourche**

Rule 14.1 is hereby adopted.

**18th Judicial District
Court
Parishes of Iberville,
Pointe Coupee and
West Baton Rouge**

Division A is seated in Pointe Coupee Parish. All criminal cases in Pointe Coupee Parish are allotted to Division A.

Division B is seated in West Baton Rouge Parish. All criminal cases in West Baton Rouge Parish are allotted to Division B.

Divisions C and D are seated in Iberville Parish. All new felonies in Iberville parish are randomly allotted by a computer supplied by the Louisiana Supreme Court between Divisions C and D. Multiple billings of a defendant resulting from the same incident will be assigned to the division to which the lowest bill number has been allotted. In cases of multiple defendants who are to be tried together, all cases will be consolidated into the division to which the lowest bill number has been allotted.

**19th Judicial District
Court
Parish of East Baton
Rouge**

As amended through
April 29, 2005

Multiple Homicides and Rapes: Homicides and rapes are allotted to the section of criminal court on duty at the time of the offense. However, homicides and rapes do not follow the prior-pending-felony rule of 14.1. When multiple homicides or rapes are joined for trial in a single indictment, the case will be allotted to the section of court on duty on the date of the earliest offense. Should an offense be severed from the original indictment for trial, the case severed shall be allotted to the section of the court on duty when the severed offense occurred.

**20th Judicial District
Court
Parishes of East
Feliciana and West
Feliciana**

Rule 14.1 is hereby adopted.

**21st Judicial District
Court
Parishes of
Livingston, St.
Helena and
Tangipahoa**

SPECIAL ALLOTMENT RULES

FIRST FELONY RULE

In felony cases, if there is an active felony probation case pending in a division of the court, any new felony or misdemeanor matter shall be allotted to that division. If there is a pending felony prosecution in a division of the court, any new felony or misdemeanor matter shall be allotted to that division. Co-defendants charged under the same indictment or bill shall be allotted to the division of the court to which the pending felony probation or pending felony prosecution is pending. When a defendant has multiple charges under different indictments or bills, all charges shall be allotted based on the date of the first arrest.

FIRST MISDEMEANOR RULE

In misdemeanor cases, if a defendant is on misdemeanor probation or has a pending misdemeanor prosecution and the defendant is thereafter billed or indicted on a felony matter, the felony shall be allotted in accordance with the above rules and the misdemeanor probation or a pending misdemeanor shall be transferred to the division of the court to whom the felony case is allotted. In all other cases, misdemeanors shall be allotted in accordance with the same procedure as set forth above for felony matters.

DISTRICT-WIDE APPLICATION

In applying the rule of first felony/ first misdemeanor, the transfer and allotment of such cases shall apply district-wide in all of the parishes encompassed by the 21st JDC. It shall be the joint responsibility of the district attorney and the defense attorney to inform the presiding judge at arraignment whether other cases are pending against the same defendant in other parishes, as well as the case number(s) and designation of such pending charges as felonies or misdemeanors. It is the continuing duty of the district attorney to inform the presiding judge of any new developments in cases involving multi-parish prosecution, such as the filing

of a felony charge in another parish in a pending misdemeanor case (which will necessitate transfer of all pending cases under the “first felony” rule.) The entering of a “guilty” or “no contest” plea by the defendant shall constitute a waiver of any objection to the proper allotment for any such defendant as relates to the charge or charges for which the plea was entered.

**22nd Judicial District
Court**

**Parishes of St.
Tammany and
Washington**

Amended effective
January 1, 2009

I. The allotment of felonies on defendants with more than one felony shall be as follows:

A. Multiple Charges and Multiple Dates

Felony offenders having multiple charges and multiple dates of offenses at the time of booking shall be assigned a division and judge using the earliest date of offense identified during the booking process.

B. Previously Committed but Subsequently Filed Offenses

If a defendant has a case allotted as per Rule 14.0 in Appendix 14.0A, and a bill on another case is subsequently filed that alleges a date of offense that pre-dates the previously allotted offense, the subsequently filed case will be allotted to the same division if it otherwise would follow as set forth below (see Felony following Felony).

C. Felony Following Felony

(See Rule 14.0 in Appendix 14.0A for definitions of Category 1, 2 and 3 felonies.)

Category 3 felonies follow prior Category 2 and other Category 3 felonies. If a defendant has a felony case which is pending and has been previously allotted, any subsequent Category 3 case filed against that defendant will be assigned the division of the first filed case regardless of the date of the offense of the subsequent case. Category 1 and Category 2 cases will not follow a defendant to a division in which a case is pending and has been previously allotted.

If a defendant has cases pending in two or more divisions and is subsequently arrested, any new charges will be allotted to the division of the lowest numbered existing file.

II. Transfers

A. General

Upon written or oral motion of the state, of the defense, or by the court on its own motion, any case may be transferred from one docket of the court to another by order of both of the judges.

B. Transfers for Plea

Transfer to a division that has a prior-filed case or a later-filed case may be accomplished by joint motion of the state and defendant and the judges of both divisions or may be granted on motion of either party after contradictory hearing before the proposed receiving division. By motion and order, one division may allow another to accept a plea from and to impose sentence on a defendant on charges pending in that division. In these circumstances, the state and the defendant must consent and waive any objection.

**23rd Judicial District
Court**

**Parishes of
Ascension,
Assumption and St.
James**

Amended effective

Allotment: Defendant with More Than One Felony Case

A. If a defendant has a billed felony case pending and previously allotted, any new felony arrest for that defendant shall be allotted to the division to which the pending billed felony was allotted. This “felonies following felonies rule” also applies to any pending felony arrests for a co-defendant with a new arrest and billed as a co-defendant.

B. For the purposes of this Rule, a felony-billed case remains pending until any of the following events has occurred:

1. a bill of information or indictment is filed or amended, reducing the case to a misdemeanor;
2. the District Attorney’s Office enters a nolle prosequi in a case;
3. there is an adjudication of guilty by plea or following trial; or
4. the defendant is found not guilty following trial.

C. When one defendant is charged with multiple offenses that could have resulted in a single indictment, those offenses shall be assigned to the division of court on duty on the date the first offense was committed.

D. Multiple Homicides and Rapes: Homicides and rapes are allotted to the division of criminal court on duty at the time of the offense. However, homicides and rapes do not follow the “felonies following felonies rule” in Rule 14.1(A). When multiple homicides or rapes are joined for trial in a single indictment, the case will be allotted to the division of court on duty on the date of the earliest offense. Should an offense be severed from the original indictment for trial, the case severed shall be allotted to the division of court on duty when the severed offense occurred.

**24th Judicial District Court
Parish of Jefferson**

Multiple filings shall be allotted to one division for charges of the same or lower class with the exception of Class I. (See Appendix 14.0A for classifications)

TRANSFER OF CRIMINAL CASES

1. Class I is the highest class of case. When multiple bills of information or indictments are allotted to more than one division of court on the same defendant, a transfer order shall be entered ordering all cases to be transferred to the division with the highest Class case. Where there are two divisions with the same Class case on the same defendant, all the cases will be transferred to the division with the earliest allotment date. If there are multiple defendants in a case to be transferred, the Judges in both divisions must confer and concur in the transfer. If the Judges cannot reach an agreement, the issue of transfer shall go to the Chief Judge, who shall decide. Transfers may be initiated upon a motion by the prosecution, upon a motion by the defendant or defendants, or upon the Court's own motion. The division losing such filings through transfer will be assigned the next filing by the District Attorney of equal class to offset such loss.

2. Cases on any of the criminal dockets may be transferred as often as necessary for the proper expedition of the business of the Court from one division of court to another.

**25th Judicial District Court
Parish of Plaquemines**

Rule 14.1 is hereby adopted.

**26th Judicial District Court
Parishes of Bossier and Webster**

Should there be multiple charges against an individual, and these charges arise out of the same criminal investigation, or series of events, or if they occur within a one hundred eighty (180) day period, then it is the intent of these rules that all such cases be handled by one section or division. In this event, the section or division having the Bill of Information or Indictment with the lowest number shall handle all the matters.

Amended effective
January 1, 2019.

**27th Judicial District Court
Parish of St. Landry**

When a new felony arrest occurs, that new case is allotted to a new division by allotment between the four (4) divisions. The District Attorney may elect to consolidate into one division at a later date.

(Amended June 2,
2003, effective July
1, 2003)

When a new felony arrest occurs, and said new felony arrest is allotted to a new or different division, upon motion of the District Attorney, said new arrest may be transferred to the division of any pre-existing felony arrest and, if indigent, said defendant shall be represented by pre-existing court appointed counsel.

**28th Judicial District
Court
Parish of LaSalle**

Single Judge District.

**29th Judicial District
Court
Parish of St. Charles**

Rule 14.1 is hereby adopted

**30th Judicial District
Court
Parish of Vernon**

Rule 14.1 is hereby adopted

**31st Judicial District
Court
Parish of Jefferson
Davis**

Single judge district.

**32nd Judicial District
Court
Parish of
Terrebonne**

Rule 14.1 is hereby adopted.

**33rd Judicial District
Court
Parish of Allen**

Same as Rule 14.1

**34th Judicial District
Court
Parish of St. Bernard**

When there are multiple charges against the same defendant, they shall be assigned to the division allotted the lowest number.

**35th Judicial District
Court
Parish of Grant**

Single judge district.

**36th Judicial District
Court
Parish of
Beauregard**

All felony cases are randomly allotted between the two divisions of court at the time of indictment or information by Clerk of Court by drawing of lot. If multiple bills of information of indictment are filed and allotted to different divisions of court relative to the same individual, they remain so allotted, unless after adversarial hearing of motion to join or transfer case between divisions, motion is granted.

**37th Judicial District
Court
Parish of Caldwell**

Single judge district.

**38th Judicial District
Court
Parish of Cameron**

Single judge district.

**39th Judicial District
Court
Parish of Red River**

Single judge district.

**40th Judicial District
Court
Parish of St. John
the Baptist**

Amended effective
December 1, 2011;
amended effective
May 11, 2012.

A. If a defendant has a felony case pending and previously allotted, any new felony arrest for that defendant shall be allotted to the division to which the pending felony was allotted.

B. This “felonies-following-felonies” rule applies only to new and pending felony cases for an individual. When co-defendants are arrested and charged, that case or cases shall be randomly allotted, and the co-defendants’ cases shall be transferred to the division with the lowest-numbered case arising from that incident. If the judge of that division is subsequently recused, the case shall be re-allotted and transferred to the next lowest-numbered division. All re-allotted or transferred cases shall remain in the lowest-numbered division regardless of a change in status (completion, plea, dismissal, etc.) and regardless of the reason for re-allotment or transfer becoming moot.

C. A case with more than one defendant shall not be re-allotted under this rule on the grounds that there are one or more cases in a different division of court pending against one or more co-defendants.

D. Any judge may agree, at his or her option, to accept a multiple defendant case, such as described in paragraphs B and C hereof, if any defendant in that case has a felony pending in that judge's division.

E. For purposes of this rule, a felony case remains pending until any of the following events has occurred:

1) the statute of limitations on initiating prosecution runs, whether or not a motion to quash has been filed or ruled upon;

2) the statute of limitations on commencing trial runs, whether or not a motion to quash has been filed or ruled upon;

3) a change of booking is made, reducing the case to a misdemeanor;

4) a bill of information or indictment is filed or amended, reducing the case to a misdemeanor;

5) the District Attorney’s office enters a refusal, dismissal, or nolle prosequi in a case; or

6) a finding of guilt (with sentence having been imposed), not guilty, or not guilty by reason of insanity is

entered on the record.

F. Misdemeanor cases which are amended or re-charged as felonies shall be subject to this rule.

G. The clerk of court, the district attorney, and defense counsel (retained or appointed) are required to promptly report to the judges involved if a defendant has pending cases allotted to different divisions of court. Such report may be made by filing a motion to have a case re-allotted or transferred under this rule.

H. All re-allotments under this rule shall be noted on the minutes of the record of the cases re-allotted, showing the number of the pending case(s) which caused the re-allotment to occur.

I. This rule shall be applied to cases pending as of the date of adoption of this rule, unless the sending judge(s) and the receiving judge agree that the interests of justice indicate that a case or cases should not be transferred. Such decision shall be shown in the minutes of the case which was sought to be transferred.

**Civil District Court
Parish of Orleans**

Not applicable to the Orleans Parish Civil District.

**Criminal District Court
Parish of Orleans**

See Appendix 14.0A.

**42nd Judicial District
Court
Parish of DeSoto**

Adopted effective
December 17, 2008

When there are multiple cases pending against one defendant, they shall be transferred to one Judge for disposition. Cases shall be transferred to the Judge which has the most serious case(s), that is, the one with the highest classification; if there are two or more in the same classification, then to the Judge presiding over the case with the lowest docket number, whether the defendant is charged alone or with others. A case shall be considered as pending until a plea of guilty or nolo contendere is entered, or a verdict of guilty is returned after trial.