Title - I

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.

Amended effective July 1, 2017.

Chapter Title - Dates of Court

Court holidays are determined by the court en banc and published annually by October 31st.

Title - I

Chapter - 3

Rule - 3.2

Appendix - 3.2

Duty Judges

Amended effective July 1, 2015; amended effective July 1, 2017.

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

Duty/Magistrate/Detention Judges

Duty/Magistrate/Detention Judges

The Duty Judge shall be on call for emergency hold orders and/or to issue verbal hold orders and verified complaints in any CINC matter, applications for arrest and search warrants, Detention Hearings, to set bonds or sign verified complaints in delinquency matters, and all matters incidental and related thereto.

The Duty schedule will rotate monthly with Division “A” being on duty in even numbered months (February, April, June, August, October, and December) and Division “B” being on duty in odd numbered months (January, March, May, July, September, and November).

Every juvenile who is detained by 8:00 a.m. on Monday, Wednesday, or Friday will have a detention hearing pursuant to Ch.C. Art. 819 on the same Monday, Wednesday, or Friday as detained.

Either judge or duly appointed judge pro tempore shall issue and/ or sign orders of an emergency nature if the judge to whom the case is assigned is ill, on vacation, out of the Parish of East Baton Rouge, or is otherwise unavailable.

Revised Effective July 1, 2017

Clerk of Court

Honorable Doug Welborn
Clerk of Court, 19th Judicial District
Clerk ex officio of the East Baton Rouge Parish Juvenile Court
222 St. Louis Street (Governmental Building)
(225) 389–3950

Allotment and Setting of Cases

All allotments are random except as set forth in these Rules. The Clerk of Court shall devise a system whereby all cases shall be equally divided among the Divisions of the Court. Once allotted, all matters and pleadings pertaining to the proceedings shall be treated as part of the original suit, shall be docketed and numbered as such, and shall follow the prior allotment or assignment to the respective Division of Juvenile Court.

Delinquency matters shall be randomly allotted prior to the Detention Hearing or at the time the initial pleading is filed with the Court.

If a child has a Delinquency, CINC, or FINS matter pending before the Court, or has a matter that has been pending within the past year, or is on probation on the date of his arrest, any new referral will be allotted to the Division of Court handling his pending matter(s) or probation.

Delinquency referrals involving co-defendants with no prior referrals or charges shall be allotted to the same Division of Court.

In Need of Care cases shall be allotted to the Division that is on duty during the month in which the verbal hold order is issued. For purposes of the CINC proceeding, Division A will handle all CINC verbal hold orders, verified complaints and continued custody hearings in even-numbered months (February, April, June, August, October, and December). Division B will handle all CINC verbal hold orders, verified complaints and continued custody hearings in odd-numbered months (January, March, May, July, September, and November). In the event a verbal hold order is not requested and an CINC proceeding is begun by some other means not requiring the issuance of an emergency order, the pleading and/or other document shall be filed with the Juvenile Court Docket Clerk at the Juvenile Court who shall randomly allot the case to a division of the court regardless of the month in which the proceeding is filed (See rule in these appendices regarding Instanter/Removal/Hold Orders).

If a child has a Delinquency, CINC or FINS matter pending before the Court, or has a CINC or FINS matter that has been pending within the past year, any new referral will be allotted to the Division of Court handling his pending matter(s).

Allotment of Adoptions and Surrenders of children who have been parties to Child in Need of Care (CINC) matters previously before the Court shall be allotted to the same Division of Court that handled the CINC matter effective July 1, 2015.

All new filings of Termination of Parental Rights (TPR) matters shall be allotted to Division A, effective August 25, 2016.

Petitions for Expungement shall be allotted to the Division of Court on duty on the date of the initial arrest subject to the requested expungement.

No case shall be allotted which has not been regularly filed. Any person who takes any action for the purpose of circumventing the chance allotment established by this rule shall be in contempt of court.

Revised Effective July 1, 2017

Transfer of Cases/Change of Venue

To facilitate the fair and expeditious resolution of cases, it is the policy of the Court to transfer to the lower numbered suit and consolidate for trial and further oversight those cases in which such consolidation is appropriate. The transfer and consolidation shall be by joint order of the judge of the Division to which the transfer is sought and the judge of the Division from which the transfer is made. It shall be the duty of any attorney in any case which ought to be consolidated to so move or call to the Court’s attention the pendency of related cases that should be considered for consolidation. The cases which ought to be transferred include those which concern members of the same family.

Any case having been allotted may be transferred from one Division to another upon the written motion of any party, or by the Court on its own motion for good cause, provided that such transfer is ordered in writing by the Judge of the Division from which and to which the case is transferred.

Revised Effective July 1, 2003

Consolidation of Cases

In the case of new referrals involving codefendants allotted to different divisions of Court, upon written

motion, these cases may be transferred and consolidated in the Division of Court having the lowest number with a pending matter or probation provided that such transfer is ordered in writing by the Judge of the Division from which and to which the referrals are transferred. All prior pending cases involving these codefendants shall be maintained in the Divisions of original allotment, but may be transferred and consolidated for hearing in any one Division in the same manner as new referrals involving codefendants with the concurrence of both Judges.

Upon transfer of a case for any purpose, the Division designation on the record jacket shall be made to conform to the Division to which the case is allotted. The Clerk's docket shall reflect the change. All additional pleadings are to bear the new Division designation, and the transfer order or a copy thereof is to be filed in all affected records.

Revised Effective July 1, 2003

Dependency Proceedings (CINC)
Instanter/Removal/Hold Orders

CINC cases shall be allotted to the Division that is on duty during the month in which the verbal hold order is issued. For purposes of the In Need of Care proceeding, Division A will handle all CINC verbal hold orders, verified complaints and continued custody hearings in even numbered months (February, April, June, August, October, and December). Division B will handle all CINC verbal hold orders, verified complaints and continued custody hearings in odd numbered months (January, March, May, July, September, and November).

Either Judge or duly appointed judge pro tempore shall issue and/or sign orders of an emergency nature if the judge to whom the case is assigned is ill, on vacation, out of the Parish of East Baton Rouge, or is otherwise unavailable. However, in any case in which the order of emergency nature is issued by a Judge other than the Duty Judge, the verified complaint shall be signed by the Judge issuing the order, but all subsequent proceedings shall be handled by the Division in which the case would have been assigned had the Duty Judge been available, except for those proceedings for which the Duty Judge remains ill, on vacation, or otherwise unavailable.

The proceedings will be transferred to the Division to which it would have been assigned if the Duty Judge had been available when said Judge or Division becomes available. In the event an instanter order is not requested but a proceeding is begun by some other means not requiring the issuance of an emergency order, the pleading and/or other document shall be filed directly with the Juvenile Court Docket Clerk at the Juvenile Court, who shall randomly allot the case to a Division of Court regardless of the month in which the proceeding is filed.

Revised Effective July 1, 2003

DELINQUENCY PROCEEDINGS
Transfer of Cases

To facilitate the fair and expeditious resolution of cases, it is the policy of the Court to transfer to the lower numbered suit and consolidate for trial and further oversight those cases in which such consolidation is appropriate. The transfer and consolidation shall be by joint order of the judge of the Division to which the transfer is sought and the judge of the Division from which the transfer is made. It shall be the duty of any attorney in any case which ought to be consolidated to so move or call to the Court's attention the pendency of related cases that should be considered for consolidation. The cases which ought to be transferred include those which concern members of the same family.

Any case having been allotted may be transferred from one Division to another upon the written motion of any party, or by the Court on its own motion for good cause, provided that such transfer is ordered in writing by the Judge of the Division from which and to which the case is transferred.

Revised effective July 1, 2003.

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

Amended effective July 1, 2017.

Chapter Title - Court Personnel

Judicial Administrator
Donna Carter
Telephone: (225) 354-1215
dcarter@brgov.com

Deputy Judicial Administrator
Darlene Munson
Telephone: (225) 354-1219
dmunson@brgov.com

Title - I

Chapter - 5

Rule - 5.1

Appendix - 5.1A

Americans with Disabilities Form

Chapter Title - Courtroom Use, Accessibility and Security

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

Title - I

Chapter - 5

Rule - 5.1

Appendix - 5.1B

Request for Interpreter and Order

Chapter Title - Courtroom Use, Accessibility and Security

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

Title - I

Chapter - 5

Rule - 5.1

Appendix - 5.1C

Chapter Title - Courtroom Use, Accessibility and Security

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

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 - 9.12	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12B.pdf
Appendix - 9.12B	
Notice of Limited Appearance – Non-Family Law Cases	

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 - V	**Chapter Title - Court Organization and Sessions**
Chapter - 41	Except where the context clearly indicates otherwise, as used in these rules:
Rule - 41.0	A. “Court” means the East Baton Rouge Parish Juvenile Court, or a Judge, Hearing Officer or Traffic Referee acting in a section thereof.
Appendix - 41.0	B. “Judge” means:
Court Procedures	1. A “Judge” of the East Baton Rouge Parish Juvenile Court.
Amended effective July 1, 2017; amended effective January 17, 2020.	2. “Traffic Referee” means an officer appointed by the East Baton Rouge Parish Juvenile Court to hear all traffic cases allowed by law.
	C. “Chief Judge” – In even-numbered years, the Judge of Division “A” shall serve as Chief Judge. In odd numbered years, the Judge of Division “B” shall serve as Chief Judge. The Judges shall concur on the exercise of administrative authority regarding matters related to the operation of the Court.
	D. “Detention” means the holding of a child in the juvenile detention center in accordance with the provisions of Articles 306 and 822 of the Children’s Code during the period in which he is awaiting a hearing of his case or further disposition thereof or transfer to the Department of Corrections.

E. “Number/Gender” – The singular includes the plural, the plural the singular, and the masculine the feminine, when consistent with these rules.

F. “Petition” means a legal document containing the allegations upon which the Court’s jurisdiction is based. In civil proceedings a petition also includes the cause of action upon which the petition’s claim is based.

The following abbreviations are used in these rules:

1. “CASA” means COURT-APPOINTED SPECIAL ADVOCATE pursuant to Ch.C. Art. 424 et seq.

2. “Ch.C.” means the Louisiana Children’s Code.

3. “D.A.” means East Baton Rouge Parish District Attorney and includes all Assistant District Attorneys (A.D.A.)

4. “DHH” means the DEPARTMENT OF HEALTH AND HOSPITALS for the State of Louisiana.

5. “DPSC” means the DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS for the State of Louisiana. The OFFICE OF JUVENILE JUSTICE (OJJ) is a subdivision of this state department.

Revised Effective July 1, 2017

6. “DCFS” means the Department of Child and Family Services (DCFS). DCFS investigates and provides services to the Court in all abuse and neglect cases.

7. “FINS” means Families in Need of Services, both the legal process and the service delivery program as provided in Title VII of the Ch.C.

8. “IAA” Informal Adjustment Agreement means that procedure set forth in Ch.C. Art. 839, et seq.

9. “CINC” means Child In Need of Care proceedings pursuant to Title VI of the Ch.C.

10. “O.P.D.” means the Office of Public Defender of the Parish of East Baton Rouge, and includes all Assistant Public Defenders (P.D.).

11. “UCCJA” mean UNIFORM CHILD CUSTODY JURISDICTION ACT pursuant to R.S. 13:1701 et seq. and Ch.C. Art. 310.

Revised Effective July 1, 2017

Regular Hours of Court

The regular hours of Court will be from 8:30 A.M. until 4:30 p.m. The Court will convene and continue in session as the Judge determines and the docket requires.

As required by R.S. 33:1435, “Each sheriff or deputy shall attend every court that is held in his parish, and shall execute all writs, orders and processes of the Court, or Judge thereof, directed to him.”

Fines, Fees and Costs

The Juvenile Court may promulgate a table of costs to be charged in the following case types:
In all Delinquency proceedings in which a juvenile has been adjudicated delinquent, court costs shall be assessed.

In all petitioned Informal Adjustment Agreements (IAA’s), court costs shall be assessed upon the signing of the Informal Adjustment Agreement.

In all petitioned Families in Need of Services (FINS) cases, court costs shall be assessed.

In all Traffic proceedings.

Notification of costs shall be posted in prominent public areas around the Court. The Judicial Administrator or her designee is required to receive all fines and costs imposed, to issue receipt therefore, and account for all receipts.

Revised Effective July 1, 2017

Filings and Pleadings

Delinquency, CINC and FINS petitions and any subsequent pleadings and motions shall be filed directly with the Juvenile Court Docket Clerk at the Juvenile Court prior to being presented to the Judge for signing.

All Traffic citations, pleadings and motions shall be filed directly with the Juvenile Court Traffic Clerk at the Juvenile Court.

Adoption proceedings, including surrenders, shall be filed directly with the 19th Judicial District Clerk of Court in the Adoption Department. Once filed, petitions are forwarded by the Clerk of Court to the Juvenile Court for the Judge's signature, assignment of a time and date of hearing, and the appointment of a Curator Ad Hoc when applicable. Any subsequent pleadings shall be filed directly with the 19th Judicial District Clerk of Court with the exception of the final decree.

Termination of Parental Rights proceedings (TPR) shall be filed by the attorney representing DCFS or the District Attorney, without leave of Court, directly with the 19th Judicial District Clerk of Court in the Adoption Department.

Uniform Child Custody Jurisdiction Act (UCCJA) proceedings shall be filed by the attorney representing the parties at interest, or in proper person, directly with the 19th Judicial District Clerk of Court in the Adoption Department.

Voluntary Transfer of Custody proceedings shall be filed by the attorney representing the parties at interest, or in proper person, directly with the 19th Judicial District Clerk of Court in the Adoption Department, prior to being presented to the Judge for consideration.

Requests for age waivers for marriage of minors shall be filed directly with the Juvenile Court Docketing Department and presented to the Judge on duty for consideration.

Requests for age waivers for abortions shall be filed directly with the Juvenile Court Docketing Department at the Juvenile Court and presented to the Duty Judge for consideration. Forms may be obtained from the Juvenile Court Docketing Department.

Revised Effective July 1, 2017

Form of Pleadings and Other Filings

All pleadings drafted for filing in Juvenile Court shall be on 8 and 1/2 inch by 14 inch paper, plainly written or printed without defacing erasures or interlineations, and shall be double spaced, except that quotations and footnotes may be single spaced.

All pleadings shall set forth in the caption the name of the Court and the Division, the title and number of the matter and a statement of the relief sought, as well as, comport with all other applicable requirements pursuant to the Children's Code, Code of Civil Procedure or Code of Criminal Procedure.

Signing of Pleadings, Motions and Other Papers

Every pleading, motion, or other paper presented for filing shall be signed personally by the counsel in his or her individual name. In addition, counsel's name, address, telephone number, fax number (if available) and Attorney Identification Number shall be typed or printed under his signature.

Documents filed by a party not represented by counsel shall be signed by the party and shall give the same information. Each attorney and pro se litigant has a continuing obligation to apprise the Court of any change of address or telephone number.

Motions and Rules

All motions except those made orally during a hearing or trial which are being properly recorded into the Court record shall be made in writing.

All motions, rules and accompanying documents, together with a complete copy for each counsel, shall be filed in accordance with these rules and appendices.

Revised Effective July 1, 2003

Discovery

1. Discovery in Delinquency Matters

Informal discovery is encouraged. If informal discovery is insufficient, discovery shall be conducted in accordance with Louisiana Children's Code Art. 866 and Louisiana Code of Criminal Procedure Arts. 716 et seq.

2. Discovery in Other Matters

Informal discovery is encouraged. If informal discovery is insufficient, discovery shall be conducted, where applicable, in accordance with Ch.C. Arts. 652 et seq., Ch.C. Arts. 1027 et seq., and Louisiana Code of Civil Procedure Arts. 1421 et seq. as applied through Ch.C. Art.104 without the necessity of an Order of the Court.

3. Pretrial Conferences

Pretrial conferences may be ordered in any matter in the discretion of the judge, on the Court's motion or on motion of any party.

4. Pretrial Order

In appropriate non-delinquency cases, the Court may enter a Case Management Order prior to trial of any matter requiring any or all of the following:

A) A brief but comprehensive statement of each party's contentions, including a list of legal authorities (statutes, Code Articles, Cases) to be relied on at the trial in support of his or her legal position;

B) A detailed itemization of all pertinent facts established by the pleadings, by stipulation and by admission;

C) A detailed itemization of contested issues of fact;

D) A detailed itemization of contested issues of law;

E) A list and brief description of all exhibits to be offered in evidence by all parties, identified by the exhibit number to be used by all parties. Exhibits to be used for impeachment or rebuttal need not be included on the list. Stipulations as to exhibit authenticity and/or admissibility shall be noted on the exhibit list;

F) A list of witnesses each party may call. Except for the witnesses listed, no other witness may be called to testify except for good cause shown. This requirement shall not apply to impeachment or rebuttal witnesses.

G) The exchange of pre-trial inserts and exhibit books consistent with the foregoing matters.

Revised Effective July 1, 2003

Release

In accordance with those guidelines adopted from time to time by the Court and consistent with the provisions of the Children's Code, a juvenile detained in the East Baton Rouge Parish Detention Facility may be released by the Court subject to conditions imposed by the Court, into the custody of a parent, guardian, or responsible person pending Court appearance. Such release shall not preclude the possibility of a later order of bail or detention for said juvenile.

Revised Effective July 1, 2003

Continuances and Extensions of Time

All cases shall be tried on the date set unless the trial is continued by order of the Court.

Continuances will be granted only for good cause shown. A motion for a continuance shall be in writing and shall be filed at the earliest possible date, not less than twenty four (24) hours before the scheduled hearing. Prior to filing a motion for continuance, the new hearing date shall be coordinated with the opposing counsel, all parties shall be notified and the Court shall thereafter be advised by the moving party if any party objects to the continuance. The Court may, however, entertain an oral motion for a continuance in exceptional circumstances, as the ends of justice require.

Revised Effective January 17, 2020.

Records and Information Sharing

Records in the office of the Clerk of Court may be removed only for the use of the Court or with written leave of Court, or as allowed by law.

Except as otherwise provided by Ch.C. Art. 407, all juvenile proceedings are confidential and closed to the public. Public access to the proceedings may be restricted according to available space in each courtroom as well as any security needs.

Except as otherwise provided by Ch.C. Art. 412, all juvenile records are to remain confidential. Access to records may be permitted for good cause shown pursuant to a motion for disclosure addressed to the Division Judge. A form motion is available from the Clerk's office located at the Juvenile Court.

Revised Effective July 1, 2003

Destruction and expungement of records shall be in compliance with Ch.C. Arts. 917-922.

Revised Effective July 1, 2003

Appointment of Counsel

All persons determined to be indigent pursuant to the provisions of Ch.C. Art. 320 are entitled to appointment of counsel.

In delinquency proceedings, the child shall be entitled to counsel and, if indigent, the Court will appoint the Office of the Public Defender to represent the child. In the event of a conflict of interest with the O.P.D., the Court will appoint an attorney to represent the child. Payment of fees and costs incurred in such representation shall be made by the O.P.D. according to the policies adopted by the Indigent Defender Board.

In CINC proceedings, both the child/children and parent(s) are entitled to counsel. If the child/children are indigent, the Court will appoint the Mental Health Advocacy Services/Child Advocacy Program as counsel. If the parent(s) are indigent, the Indigent Parents' Representation Program will be appointed for their representation. Requests for payment of fees and costs incurred in such representation shall be made according to law.

Revised Effective July 1, 2017

Enrollment, Withdrawal and Substitution

An attorney, unless appointed by the Court, shall sign his name of record as representing his client. Where counsel is appointed by the Court, the Clerk of Court shall notify him of his appointment by serving such notice along with a copy of the petition, as provided by statute. Once an attorney has appeared, he will receive copies of all subsequent notices required by statute.

The original counsel of record shall be held to represent the party for whom he appears unless the Court permits him to withdraw from the case. He may obtain permission only upon joint motion to substitute counsel or upon a written motion served on opposing counsel and the client before the Court acts. If other counsel is not thereby substituted, the written motion to withdraw shall state his reasons therefor, the present address of the client and the client's telephone number if the client can be reached by telephone. The motion shall be accompanied by a certificate of service, including a statement that the client has been notified of all deadlines and pending court appearances, on both the client by certified mail and the opposing counsel, or an affidavit stating why service has not been made. The motion shall be filed not later than 10 days prior to the date of the hearing. If the motion is not filed

timely, or for other good and sufficient reason, the Court may deny the motion and the reasons therefor (except when such reasons conflict with the best interest of the client) and require counsel to remain in the case and represent his client at the hearing.

Revised Effective July 1, 2003

Attorney Attendance; Failure to Appear

All attorneys of record in matters scheduled for hearing shall be available at the time the case is called. If an attorney finds it necessary to leave the courtroom or adjacent areas, he shall so inform the Deputy Sheriff and indicate where he may be located. An attorney whose matter is scheduled for that day shall not leave the premises without the approval of the Court.

Counsel's failure to appear, or appearing only extremely late, for conferences with the Court, or for argument of motions, trial, or any other proceeding, causes great inconvenience to the Court, opposing counsel, and in some instances, to witnesses. Accordingly, it will be the Court's policy to impose costs or sanctions as appropriate.

Revised Effective July 1, 2003

Intake

(a) Purpose of Intake

When the offensive conduct is trivial and/or where parental discipline is adequate, or where the juvenile can benefit most by referral to out of court agencies for voluntary intervention and the rendition of services, the Court should not retain jurisdiction over the juvenile or the subject matter of the case. It is the express policy of the Court that non judicial handling be encouraged where appropriate in the interest of keeping juveniles out of the juvenile court system where the conditions contained in this rule are manifest.

Revised Effective July 1, 2003

(b) Intake Process; Forms; Interview – Dependency Proceedings

All allegations reports of abuse and/or neglect shall be made to DCFS and all validated complaints by DCFS shall be forwarded to the East Baton Rouge District Attorney for a determination of whether the case will be prosecuted.

Revised Effective July 1, 2017

Delinquency Proceedings

All reports involving delinquency are received by the East Baton Rouge Parish District Attorney's Office.

Revised Effective July 1, 2017

FINS Proceedings

Informal FINS complaints may be received by the Department of Juvenile Services, City of Baton Rouge, Parish of East Baton Rouge and forwarded to the East Baton Rouge Parish District Attorney's Office when appropriate.

Revised Effective July 1, 2017

One Family/One Judge Rule

Dependency cases involving more than one member of the same family shall be heard by the same Judge.

Revised Effective July 1, 2017

CINC – Concurrent Planning

To the extent feasible and in compliance with applicable federal and state laws, each and every case plan filed with the Court shall contain concurrent plan goals and activities designed to meet both goals, although one goal may be determined to be the primary goal.

Revised Effective July 1, 2003

CINC – Placement of Children in Custody

Should a child in DCFS custody be moved from one placement to another, DCFS or any other agency to which the child has been assigned shall inform the Court and the child's prior caretaker and/or custodian of the change in placement.

If hospitalization is required in a mental facility as defined by the Children's Code, the custodial agency shall inform the Court within 24 hours, and a representative from the Mental Health Advocacy shall be appointed to represent the child.

Revised Effective July 1, 2003

CINC – Reports

All court reports by DCFS shall be filed with the Juvenile Court Docket Clerk. DCFS shall forward copies to all attorneys of record, unrepresented parties, and CASA at least 10 days prior to the scheduled Disposition Hearing, Case Review Hearing pursuant to Ch.C. Art. 692, and Permanency Hearing pursuant to Ch.C. Art. 702. If for any reason the court continues a scheduled hearing for more than a 30 day period DCFS shall prepare and send an update letter to all attorneys of record, unrepresented parties, CASA and the Court, within 3 days prior to the hearing.

The initial case plan developed by DCFS shall be filed with the Court prior to or at the time of the Ch.C. Art. 646.1 Pre-Hearing Conference or within 60 days of the entry into the custody of DCFS, whichever is earlier. Copies shall be forwarded by DCFS to all attorneys of record, unrepresented parties and CASA at the same time the case plan is filed with the Court.

Revised Effective July 1, 2003

CASA

The Capital Area Court-Appointed Special Advocate Association (CASA) shall be appointed at the time of the signing of the verified complaint. A copy of the verified complaint and Order appointing the CASA program shall immediately be forwarded to CASA. CASA shall submit an Order to Assign a particular volunteer to the particular case once a determination/assessment is made of the best candidate for the case.

All CASA reports shall be filed with the court, all attorneys of record, unrepresented parties and DCFS within 3 days prior to the scheduled hearing. If the court reschedules the hearing for more than 30 days, CASA shall prepare an update to the Court, all attorneys of record, unrepresented parties and DCFS within 3 days prior to the hearing.

A CASA program staff or volunteer representative shall be allowed to inspect the DCFS record without prior order of the Court upon presentation to DCFS of the Order from the verified complaint appointing CASA signed by the Court. Copies of the most recent medical reports, most recent family team conference, most recent school reports and most recent court reports shall be provided by DCFS to the CASA volunteer in accordance with La. R.S. 46:56.

Revised Effective July 1, 2003

CINC Reports

Reports to the Court regarding recommendations for disposition, including any required supervision plans and service plans, and reports pertaining to review hearings shall be submitted to the Court in writing no later than three (3) working days prior to the scheduled hearing date pursuant to Ch.C. Art. 891.

Revised Effective July 1, 2003

FINS Proceedings

(a) Reports

Reports to the Court regarding recommendations for disposition and reports pertaining to review hearings for adjudicated FINS shall be submitted to the Court in writing no later than three (3) working days prior to the scheduled hearing date. When required by the Court, reports to the Court regarding the monitoring of non adjudicated FINS shall be submitted to the Court monthly.

Revised Effective July 1, 2003

In the event, the FINS predisposition report recommends custody to any agency, the FINS officer shall immediately provide to that agency notice of the hearing, a copy of the report, all supporting documentation, all records and its right to be present at the hearing.

(b) Case Plans

Following any disposition which places a child in the custody of a State agency, the first case plan shall be set for review within 60 days of the child entering State custody.

All subsequent reviews shall be held in accordance with Chapters 15 and 16 of Title VI of the Louisiana Children's Code.

Revised Effective July 1, 2003

Adoption Proceedings

Adoption proceedings, including surrenders, are filed directly with the 19th Judicial District Clerk of Court in the Adoption Department. Once filed, petitions are forwarded by the Clerk of Court to the Juvenile Court for the Judge's signature, assignment of a time and date of hearing, and the appointment of a Curator Ad Hoc when applicable. Any subsequent pleadings shall be filed directly with the 19th Judicial District Clerk of Court with the exception of the final decree.

When an adoption proceeding motion begins with the filing of a surrender, an Order approving the surrender and setting the matter for review in accordance with Ch.C. Art. 1131 and Ch.C. Art. 1146 shall accompany said surrender. However, in cases in which the surrendered child is in the custody of DCFS, the reviews mandated by Ch.C. Art. 1146 shall be consolidated with the reviews held pursuant to the CINC process of Title VI.

In addition to the requirements otherwise set forth, all formal Acts of Surrender filed in this Court must:

1. State the identity of the father(s), or explicitly state that his identity is unknown.

2. When required by law, contain a statement that the surrendering parent is represented by counsel. The attorney who represents the surrendering parent cannot concurrently represent the adopting parents. The notary may not be either the attorney for the surrendering parent or the attorney for the adoptive parents who wish to remain anonymous, as both of these attorneys are required to sign the surrender, and an attorney shall not notarize his own signature.

3. Be witnessed by two persons over 18 years of age and notarized.

Revised Effective July 1, 2003

Uncontested Adoptions

Petitioners and counsel shall be present in Court and prepared to proceed at the date and time fixed for the hearing. The hearing may be conducted in Chambers at the discretion of the Judge. The presence of petitioners at the hearing may not be waived except with approval of the Judge, and then only on written request in the form of an affidavit, executed no more than ten (10) days prior to the hearing. The affidavit shall outline the circumstances necessitating the petitioner's absence as well as attesting that the petitioner's testimony at the hearing would be substantially the same as the information

provided to DCFS for preparation of the confidential report.

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

Revised Effective July 1, 2003

Contested Adoptions; Appeals

In order to prevent delays that may destroy the natural parent's rights under the adoption statutes or have a harmful effect upon the child/children all contested private adoptions shall proceed expeditiously and within the following time frames: Upon receiving formal or written informal notice signed by the contesting parent that an adoption proceeding is contested or, if an objection is otherwise filed to the adoption, the Court shall schedule a hearing and decide the issue of parental rights, best interest of the child, or any related issues within twenty (20) days of the Court's receipt of such notice.

If an appeal from the Court's ruling is filed, the trial Court shall fix the return date of the appeal no more than thirty (30) days from the date the estimated costs are paid. Emergency supplemental court reporting services may be applied for with the Judicial Administrator of the Juvenile Court.

Revised Effective July 1, 2017

Adoption Continuances

If there is a need for a continuance in an adoption proceeding, the attorney shall contact the Juvenile Court for a reassignment. If a continuance is granted, it is the attorney's responsibility to notify DCFS the petitioner, and the Curator when applicable.

Revised Effective July 1, 2017

Adoption Reports

Confidential reports from DCFS are due seven (7) days prior to date of the hearing.

Revised Effective July 1, 2017

Curators ad Hoc: Duties, Procedures, Fees

The Curator must file with the Clerk a complete resume in the form of a "Note of Evidence" detailing all of the diligent efforts made by the Curator in his attempt to locate the absent parent. When a Curator successfully locates a missing or absent parent he shall send the absent parent notice of the filing of the adoption petition but he shall not send the actual petition and exhibits.

The fee for appointment as attorney to represent absentee parties is hereby fixed at the sum of $200.00 plus costs except in CINC and TPR cases. Litigants desiring the appointment of an attorney to represent the absentee shall deposit the fee plus advance cost of $100.00 with the Clerk of Court. Such litigant shall certify to the Court in the order seeking the appointment that the fee has been paid in advance in full. The Court may order an additional attorney fee should it be necessary for multiple court appearances or extraordinary efforts to discharge duties under the appointment.

A filing fee shall be assessed by the Clerk of Court in all adoption proceedings. Additional fees may be assessed.

Revised Effective July 1, 2003

Traffic Proceedings

Traffic Referee – an officer appointed by the East Baton Rouge Parish Juvenile Court to hear all traffic cases allowed by law.

Revised Effective July 1, 2003

Traffic Procedure

Traffic citations shall be filed directly with the Traffic Clerk of the Juvenile Court to be heard by the Traffic Referee appointed by the Court or a Judge of the Juvenile Court. Traffic matters shall be randomly allotted.

Division A will handle all cases designated "A" in even numbered months (February, April, June, August, October, and December). Division B will handle all cases designated "B" in odd numbered months (January, March, May, July, September, and November).

Citations shall be randomly allotted to the appropriate Division unless there is a court date pending on a previous citation, the matter shall be allotted to the same Division as the pending matter and shall be heard on that date if practicable.

Citations involving Title 14 charges (DWI, fleeing to elude, hit and run, and reckless operation) are forwarded to the Department of Juvenile Services for referral to the East Baton Rouge Parish District Attorney's Office.

Revised Effective July 1, 2003

Fines, Fees and Costs

The Juvenile Court may promulgate a table of costs to be charged in traffic cases, not inconsistent with the Ordinances of the City of Baton Rouge and Statutes of the State of Louisiana in addition to or in lieu of other penalties to be imposed on juvenile traffic offenders. Cost assessments shall be standard for both Divisions of Court with a fine to be set at the discretion of the presiding Hearing Officer or Judge not to exceed $100.00.

Notification of costs shall be posted in a public place outside the courtroom prior to their effective date. The Judicial Administrator or her designee is required to receive all fines and costs imposed at traffic hearings or otherwise, to issue receipt therefor, and account for all receipts.

Victim of Juvenile Crime Compensation Fund

Pursuant to Ch.C. Art. 811.2, a special cost not to exceed $15.00 may be levied against any juvenile who is found to have committed a traffic violation resulting in injury or property loss, or who is found to have committed a juvenile offense.

A special cost not to exceed $15.00 may be levied against any juvenile found to have committed a traffic violation.

Such costs shall be in addition to any other fines or fees and shall be payable to the East Baton Rouge Parish Victim of Juvenile Crime Compensation Fund.

Revised Effective July 1, 2003

Voluntary Transfer of Custody

Voluntary Transfer of Custody proceedings shall be filed by the attorney representing the parties at interest, or in proper person, directly with the 19th Judicial District Clerk of Court in the Adoption Department, prior to being presented to the Judge for consideration.

With leave of Court, a Voluntary Transfer of Custody proceeding may be filed in a pending matter.

Otherwise, petitions for Voluntary Transfer of Custody shall be filed in the manner required by Title XV, Chapter 3 of the Louisiana Children's Code.

Unless waived, each petition for voluntary transfer of custody shall be accompanied by a certified copy of the birth certificate for each child over which transfer of custody is sought. Upon review and copying of the birth certificate by the Court or its designee, the certified copy of the birth certificate will be returned to the party filing the petition.

The Clerk of Court, or a person designated by him and under his immediate supervision, shall upon the filing of any new Voluntary Transfer of Custody proceeding and the payment of costs chargeable thereto, immediately and publicly randomly allot the matter to a Division of the Juvenile Court.

No case shall be allotted which has not been regularly filed. Any person who takes any action for the purpose of circumventing the chance allotment established by this rule shall be in contempt of court.

Revised Effective July 1, 2003

Marriage of Minors

Requests for age waivers for marriage of minors shall be filed directly with the Juvenile Court Docketing Department and presented to the Judge on duty for consideration.

Revised Effective July 1, 2017

Abortion

Requests for age waivers for abortions shall be filed directly with the Juvenile Court Docketing Department at the Juvenile Court and presented to the Duty Judge for consideration. Forms may be obtained from the Juvenile Court Docketing Department.

Revised Effective July 1, 2017

Appeals and Writs

Time Limitations and Costs

The time allowed for preparation of transcripts on appeals taken in delinquency, CINC and FINS proceedings shall conform to the requirements of Title III, Chapter 9, of the Children's Code. The time allowed for preparation of transcripts on appeals taken pursuant to involuntary termination of parental rights, surrenders and adoption proceedings shall conform to the requirements of Titles X, XI, and XII of the Children's Code.

Costs for the preparation of transcripts shall be fixed pursuant to a schedule adopted by the Court en banc and published both at the Juvenile Court and the 19th Judicial District Clerk of Court.

When an appeal has been filed, all costs associated with preparation of transcripts shall be estimated by the 19th Judicial District Clerk of Court and billed to the appropriate party prior to the preparation of the transcript. The transcript will not be prepared until the Clerk of Court notifies the Certified Court Reporter that the estimated costs have been prepaid in full.

In all cases where the appealing parties are indigent, transcripts of the proceedings will not be prepared by the Court Reporter without the authorization of the Judge of the Division in which the case was heard.

Costs for transcripts for purposes other than appeal are estimated by the Certified Court Reporter. Prior to the preparation of the transcript, the estimated costs must be deposited with the Judicial Administrator of the Juvenile Court in the form of a check or money order made payable to the East Baton Rouge Parish Juvenile Court. Upon completion of the transcript, the party requesting the transcript will be billed for any amount due in addition to the estimated cost. The transcript will not be released until all costs have been paid. The Court will reimburse the party for any amount deposited in excess of the actual cost of the transcript.

Revised Effective July 1, 2017

Title - V

Chapter - 42

Rule - 42.0

Appendix - 42.0

One Family/One Judge Rule

Chapter Title - General Rules and Procedures

Cases involving family members shall be allotted to the same Division of Court. Once a juvenile has been randomly allotted to a Division of Court, any subsequent juvenile matters filed involving the same family shall be allotted to the same Division of Court.

Revised Effective January 17, 2020.

Amended effective August 25, 2016; amended effective July 1, 2017; amended effective January 17, 2020.

Title - V

Chapter - 46

Rule - 46.0

Appendix - 46.0

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

Chapter Title - Adoption Proceedings

Title - VI

Chapter - 60

Rule - 60.2

Appendix - 60.2

Form IJR-1: Petition for Judicial Review

Chapter Title - Litigation Filed by Inmates

http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.2.PDF

Title - VI

Chapter - 60

Rule - 60.4

Appendix - 60.4

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

Chapter Title - Litigation Filed by Inmates

http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.4.PDF

Title - VI

Chapter - 60

Rule - 60.7

Appendix - 60.7A

Application To Proceed In Forma Pauperis Filed in District Court

Chapter Title - Litigation Filed by Inmates

http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7A.PDF

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	