

**SUMMARY OF PROPOSED AMENDMENTS TO THE  
LOUISIANA DISTRICT COURT RULES  
FALL 2022**

The Court Rules Committee hereby proposes the following amendments to the Louisiana District Court Rules for Fall 2022:

1. **Creation of new District Court Rule 3.6 and Appendix 3.6 concerning La. R.S. 15:440.2 and the recording of a statement of a protected person on videotape:** La. R.S. 15:440.2 states that a court with original criminal jurisdiction or juvenile jurisdiction may require that a statement of a protected person be recorded on videotape in one of a few ways, including by “adoption of a local court rule that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case.” At present, there is no District Court Rule on this topic and no Appendix where a local court rule that addresses it may be placed. Therefore, the Court Rules Committee proposes the creation of District Court Rule 3.6, with an accompanying Appendix 3.6, to remedy this problem.
2. **District Court Rule 6.1(e) (“General Courtroom Conduct”):** The Court Rules Committee proposes amending this Rule’s currently permissive language (“a judge should prohibit broadcasting, televising, recording, or the taking of photographs in the courtroom and areas immediately adjacent thereto, at least during sessions of court or recesses between sessions”) to mandatory language (“a judge shall ...”) so that it is consistent with Canon 3A(9) of the Code of Judicial Conduct, which reads:

(9) Except as herein provided a judge **shall** prohibit broadcasting, televising, recording, or taking photographs in the courtroom and areas immediately adjacent thereto during sessions of court or recesses between sessions. (Emphasis added.)

A trial judge may authorize:

- (a) the use of cameras placed inside the courtroom for security purposes without audio;
- (b) the use of electronic or photographic means for the presentation of evidence, for the perpetuation of a record for the court or for counsel, or for other purposes of judicial administration;
- (c) the broadcasting, televising, recording or photographing of investitive or ceremonial proceedings;
- (d) the photographic or electronic recording and reproduction of appropriate court proceedings under the following conditions:
  - (i) the means of recording will not distract participants or impair the dignity of the proceedings;

(ii) the parties have consented, and the consent to being depicted or recorded has been obtained from each witness appearing in the recording and reproduction;

(iii) the reproduction will not be exhibited until after the proceeding has been concluded and all direct appeals have been exhausted; and

(iv) the reproduction will be exhibited only for instructional purposes in educational institutions.

An appellate court may permit broadcasting, televising, recording, and taking photographs of public judicial proceedings in the courtrooms of appellate courts in accordance with the guidelines set forth in an appendix to this Canon, subject, however, to the authority of each court and the presiding judge of each court or panel to (a) control the conduct of proceedings before the court, (b) ensure decorum and prevent distractions, and (c) ensure the fair administration of justice in the pending cause.

3. **Appendix 28.0 (“Court-Specific Rules Concerning Confirmation of Preliminary Defaults”)**: On June 11, 2021, Governor John Bel Edwards signed into law Act 174, which eliminated the term “preliminary default” from Louisiana law and implemented new default judgment procedure. The Court Rules Committee proposes removing mention of the now-outdated “preliminary default” term from the title of Appendix 28.0 so that the new title reads: “Court-Specific Rules Concerning Default Judgments.”

**LOUISIANA DISTRICT COURT RULES**

**TITLE I: RULES FOR PROCEEDINGS IN DISTRICT COURTS, FAMILY COURTS,  
AND JUVENILE COURTS**

**CHAPTER 3: JUDGES AND FACSIMILE TRANSMISSIONS TO THE COURT**

**PROPOSED RULE 3.6: RECORDING OF PROTECTED PERSONS PURSUANT TO  
LA. R.S. 15:440.2**

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*The Court Rules Committee proposes creation of new Rule 3.6, which would read:*

**Rule 3.6. Recording of Protected Persons Pursuant to La. R.S. 15:440.2**

*See Appendix 3.6 for courts adopting a local rule pursuant to La. R.S. 15:440.2 for the recording of protected persons.*

**LOUISIANA DISTRICT COURT RULES**

**TITLE I: RULES FOR PROCEEDINGS IN DISTRICT COURTS, FAMILY COURTS,  
AND JUVENILE COURTS**

**CHAPTER 3: JUDGES AND FACSIMILE TRANSMISSIONS TO THE COURT**

**RULE 3.6: RECORDING OF PROTECTED PERSONS PURSUANT TO LA. R.S.  
15:440.2**

**PROPOSED APPENDIX 3.6: COURT-SPECIFIC RULES CONCERNING  
RECORDING OF PROTECTED PERSONS PURSUANT TO LA. R.S. 15:440.2**

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*The Court Rules Committee proposes creation of new Appendix 3.6 to accompany new Rule 3.6. The title of this proposed Appendix would read:*

[Appendix 3.6: Court-Specific Rules Concerning Recording of Protected Persons Pursuant to La. R.S. 15:440.2](#)

**LOUISIANA DISTRICT COURT RULES**

**TITLE I: RULES FOR PROCEEDINGS IN DISTRICT COURTS, FAMILY COURTS,  
AND JUVENILE COURTS**

**CHAPTER 6: COURT DECORUM AND THE CONDUCT OF ATTORNEYS AND  
JUDGES**

**RULE 6.1: GENERAL COURTROOM CONDUCT**

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*The Court Rules Committee proposes amending Rule 6.1 as follows:*

**Rule 6.1. General Courtroom Conduct**

(a) No person may engage in any conduct that would be disruptive to the business of the court, including the following:

- (1) Using tobacco in any form at any time.
- (2) Reading newspapers while court is in session.
- (3) Displaying any political advertisement of any nature.

(b) Attorneys, as officers of the court, shall help to maintain the dignity of the court. Male attorneys and clerks of court shall wear coats and ties in the courtroom. Female attorneys and clerks of court shall wear a comparable level of attire.

(c) No one may wear a hat or be barefoot in the courtroom. Witnesses and spectators shall appear neat and clean, within the limits of propriety. The court will make allowances for those who shall appear in work clothes and for those whose attire is dictated by their religion.

(d) No one is allowed inside the rail except for attorneys, litigants, officers of the court, and anyone else that the court specifically authorizes.

(e) A judge ~~should~~ shall prohibit broadcasting, televising, recording, or the taking of photographs in the courtroom and areas immediately adjacent thereto, at least during sessions of court or recesses between sessions. *See* Code of Judicial Conduct Canon 3A(9).

(f) A judge may prohibit the use of electronic devices, including cellular telephones and recording devices, in a courtroom.

**LOUISIANA DISTRICT COURT RULES**

**TITLE IV: RULES FOR FAMILY LAW PROCEEDINGS IN DISTRICT COURTS, IN  
THE FAMILY COURT FOR THE PARISH OF EAST BATON ROUGE, AND  
PROCEEDINGS IN JUVENILE AND DISTRICT COURTS PURSUANT TO  
TITLE IV-D OF THE SOCIAL SECURITY ACT**

**CHAPTER 28: DIVORCES PURSUANT TO LA. CIV. CODE ART. 103**

**PROPOSED AMENDMENT TO TITLE OF APPENDIX 28.0 (“COURT-SPECIFIC  
RULES CONCERNING CONFIRMATION OF PRELIMINARY DEFAULTS”)**

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*The Court Rules Committee proposes amending the title of Appendix 28.0 as follows:*

Court-Specific Rules Concerning ~~Confirmation of Preliminary~~ Defaults: Judgments