

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

1st Judicial District
Court
Parish of Caddo

RULE 26. HEARING OFFICER AND ESTABLISHMENT OF RULES AND PROCEDURES FOR THE EXPEDITED PROCESS FOR THE ESTABLISHMENT, MODIFICATION AND ENFORCEMENT OF SUPPORT OBLIGATIONS

Adopted effective
Jan. 1, 1994.

1. Pursuant to 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 deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court. The entire Court, by majority vote, shall fix the salary or salaries of the hearing officer(s) and any such other personnel hired and employed to implement this procedure.

2. Such hearing officer(s) shall have authority to perform and shall perform any and all duties assigned to the officer by a judge designated by the Court which are consistent with R.S. 46:236.5 as it presently exists or as supplemented or amended in the future.

3. The hearing officer shall act as a finder of fact and shall make recommendations to the Court concerning the following matters:

(a) The establishment and modification of child support in Title IV-D AFDC cases as well as the method of collection of same.

(b) Contested and uncontested paternity cases in which an action was brought by the State of Louisiana on behalf of or in the interest of any mother who is the recipient of state Aid to Families with Dependent Children or who is otherwise eligible under state law for such services.

4. At the conclusion of the hearing, the hearing officer shall render a written recommendation to the Court as provided for by R.S. 46:236.5(C)(5). Counsel for the State of Louisiana, Department of Social Services, shall provide at the time of the hearing a proposed judgment.

Should the hearing officer make recommendations as to factual findings and conclusions of law that are inconsistent with the proposed judgment tendered by counsel at the time of the hearing, then counsel for the Department of Social Services shall promptly prepare and tender to the hearing officer a proposed judgment consistent with the hearing officer's recommendations. The written recommendation of the hearing officer shall be filed in the suit record subsequent to the hearing.

5. Any party to the proceedings may file an exception to the findings of fact or law of the hearing officer within 72 hours from the date of the hearing. The 72-hour period referred to herein shall commence running at 5:00 p.m. on the date of the hearing and shall exclude Saturday, Sunday, and other legal holidays.

6. Should any party file an exception to the findings of the hearing officer, the Court shall schedule a contradictory hearing before a judge for the taking of additional evidence if in the Court's discretion it is determined that additional information is needed. If no exception to the hearing officer's recommendations is timely filed, an Order shall be signed by the judge, which shall be a final judgment and be appealable to the Court of Appeal.

7. In all Title IV-D AFDC (Social Security Act) 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 (5%) percent beginning (target date), 20____. On or after (target date), 20____, all such obligors or payors shall make any and all such payments for support, including the additional five (5%) percent amount, payable to the "First JDC-CS Fund." Such payments shall be made only by money order or certified check and shall either be delivered directly to the Court Administrator's representative at the

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Courthouse in Shreveport, Louisiana, or mailed to: First JDC-CS Fund, 501 Texas, Room 103, Shreveport, Louisiana 71101.

8. In all Title IV-D AFDC cases presently pending and arising in the future, a one-time fee in the amount of \$25.00 shall be assessed as provided for by R.S. 46:236.5(B)(2). The fees generated as a result of this assessment shall be utilized to fund the expenses of the Caddo Parish Indigent Defender Board in connection with court-appointed representation of individuals ordered to pay child support as provided for herein.

9. Child support funds collected in the manner described herein will be forwarded to the Department of Social Services, within the delays provided by law, after first deducting the five (5%) percent administrative fee authorized by R.S. 46:236.5(B)(1); the \$25.00 assessment authorized by R.S. 46:236.5(B)(2), and any outstanding court costs due the Clerk of Court as provided for by R.S. 13:4521(B).

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

Adopted and
effective July 23,
1992; amended
effective Nov. 11,
1993; amended Aug.
24, 1994, effective
Oct. 1, 1994.

RULE 29. HEARING OFFICER, RELATED PERSONNEL AND PROCEDURES RELATIVE TO EXPEDITED PROCESS FOR THE ESTABLISHMENT, MODIFICATION AND ENFORCEMENT OF SUPPORT OBLIGATIONS

A. 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.

B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Court which are consistent with LSA R.S. 46:236.5 as it presently exists or as it may be from time to time supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law in the Second Judicial District.

C. 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.

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.

D. 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.

E. 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 on going 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

F. Effective January 1, 1993, the following dates shall be fixed for the hearing of non support and related

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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.

2nd Judicial District Court

Parishes of Bienville, Claiborne and Jackson

Adopted and
effective July 23,
1992; amended
effective Nov. 11,
1993; amended Aug.
24, 1994, effective
Oct. 1, 1994.

RULE 29.A DOMESTIC ABUSE PETITIONS AND USE OF HEARING OFFICERS

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.

Upon the filing of any petition alleging domestic abuse under Title 46 of the Louisiana Revised Statutes, the Clerk of Court shall refer the petition to the duty judge for the purpose of reviewing the petition and granting or denying a temporary restraining order. Upon the granting of a temporary restraining order, the matter shall be fixed for hearing before the Hearing Officer on the next available date currently designated as child support court in each respective parish. Hearings shall be scheduled at 1:00 p.m. on that date.

The Hearing Officer shall take testimony, make findings of fact and a recommendation to the District Court. If no appeal is requested, the District Judge shall approve and sign the appropriate Uniform Abuse Prevention Order and forward it to the Clerk of Court without delay. The Clerk of Court shall transmit the Uniform Abuse Prevention Order to the central registry by facsimile transmission as expeditiously as possible, but no later than the end of the next business day after the order is filed with the Clerk of Court.

Should any party request an appeal to the District Court, such appeal must be perfected according to the procedures set forth in Local Rule 29(C), and the parties shall be directed to the District Judge, where the appeal shall be heard as expeditiously as possible but no later than the next regularly scheduled civil motion day following the request for an appeal.

IT IS FURTHER ORDERED that this Local Rule 29.A be spread upon the minutes of the Second Judicial District Court in and for Bienville, Claiborne and Jackson Parishes.

THUS DONE AND SIGNED in Chambers in Homer, Claiborne Parish, Louisiana on this 17th day of July, 2003.

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

B.1. Hearing Officer(s), Related Personnel and Procedures Relative to Expedited Process for the Establishment, Modification and Enforcement of Support Obligations.

a. 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 Court, to hear support and support related matter, including contested and uncontested paternity cases, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure on the Court.

b. Such Hearing Officer shall be an attorney who has been in good standing with any state bar association for not less than five years and has experience in cases involving child support services. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her or them by a Judge designated by the Court which are consistent with LSA-R.S. 46:236.5 as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law in Lincoln or Union Parishes.

c. The Court shall hold a contradictory hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed within three (3) days from the date of the hearing. 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. The contradictory hearing shall 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 determines that additional information is needed, he may receive evidence at the hearing or remand the proceeding to the Hearing Officer.

d. The entire Court, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.

e. In all Title IV-D (Social Security Act) cases presently pending and arising in the future, each support payment, including existing arrearages and future arrearages as well as on going support payments, is hereby increased by five (5%) percent beginning September 1, 1992. On or after September 1, all such obligors or payors shall make any and all such payments for support, including the additional five (5%) percent amount. Such payments shall be made only by money order or certified check made payable to State of Louisiana, Department of Social Services, P.O. Box 3144, Monroe, Louisiana, 71210-3144.

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4th Judicial District Court

Parishes of Morehouse and Ouachita

Amended April 7,
2009, effective
January 1, 2010

A. Appointment of Hearing Officers

1. Pursuant to LSA-R.S. 46:236.5 and applicable articles of the Louisiana Civil Code and Louisiana Children's Code, and in furtherance of Rules 22 through 34, supra, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations and all other family and domestic proceedings as defined by LSA R.S. 46:236.5, by authorizing and directing one or more Hearing Officers, appointed by majority vote of the entire Court, to hear said family and domestic proceedings and to hire and employ any and all such other personnel deemed necessary to implement this procedure; all of whom shall serve at the pleasure of the Court.

2. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her, or them by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 as they presently exist, or as they may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law within the 4th Judicial District. Said Hearing Officer(s) shall avoid any appearance of impropriety.

3. There shall be such number of Hearing Officers for Family Docket cases as authorized by a majority of the District Judges. The Hearing Officers shall be known as "Hearing Officer A," Hearing Officer B," and so on.

4. The District Judges, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired or employed to implement the procedure.

B. Scheduling of Hearing Officer Conference

1. All initial pleadings on the Family Docket, if requesting a rule/hearing date, shall be accompanied by a Return Date/Hearing Cover Sheet (Pink Slip), which may be found at <http://www.4jdc.com/familycourt.htm>

2. After filing initial pleadings on the Family Docket, all parties will be required to attend a Hearing Officer Conference with a Hearing Officer unless waived by the assigned judge and to provide documentation to the Hearing Officer and the other party in accordance with any order(s) issued by the court. The assigned civil section judge shall issue or cause to be issued an original Hearing Officer Conference Order, which substantially complies with 4th JDC Family Docket Form 1.0 or 1.1 and provide same to the appropriate individual in the office of the Clerk of Court to prepare certified copies for service on the parties.

3. The initial Hearing Officer Conference will, to the extent feasible, be scheduled within twenty-eight (28) days following the rendition of the order scheduling a court hearing on the issues which should be considered in a Hearing Officer Conference. All parties shall be required to submit to the Hearing Officer, and other party/parties a completed Hearing Officer Conference Affidavit, which can be obtained at <http://www.4jdc.com/familycourt.htm>, together with all documentation ordered by the Hearing Officer Conference Order, not less than five (5) days, exclusive of weekends and legal holidays prior to the Hearing Officer Conference. The Hearing Officer may permit a party to submit the Hearing Officer Conference Affidavit and its attachments later than five (5) days prior to the Hearing Officer Conference upon a showing of unusual and exceptional circumstances. If the Hearing Officer does not find that unusual and exceptional circumstances exist to excuse a late or substantively deficient filing, the Hearing Officer shall have discretion to (1) render a Hearing Officer Conference Report based on the information provided by the other party, or (2) issue such other relief as is appropriate under the circumstances, including issuing interim orders and/or refixing the Conference and scheduled court date, and contemporaneously taxing the deficient-filing party with court costs and attorney fees.

4. If there are complicated or extraordinary issues which will require a Hearing Officer Conference which is

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longer than 90 minutes (or a half-day for community property conferences), the parties shall notify the Hearing Officer of this fact at the time the initial pleading is filed. Thereafter, the Hearing Officer may schedule a longer Hearing Officer Conference to accommodate the issues of the case.

5. If there exists a situation of immediate danger, the Hearing Officer Conference may be scheduled at an earlier date at the request of any party, or may, in the discretion of the Court, bypass the Hearing Officer Conference to accommodate the issues of the case.

6. If counsel has an unavoidable scheduling conflict that would prevent counsel from attending the Hearing Officer Conference as scheduled, counsel shall immediately contact opposing counsel and the Hearing Officer by telephone conference call regarding rescheduling within fifteen (15) days. If counsel are unable to agree on a continuance, the Hearing Officer will decide whether a continuance is warranted. The court expects counsel to be mindful of the Louisiana Code of Professionalism which states that counsel will consult with each other whenever scheduling procedures are required and will be cooperative in scheduling discovery, hearings, the testimony of witnesses and in the handling of the entire course of any legal matter.

C. Purpose of Hearing Officer Conference

At the Hearing Officer Conference, counsel and the parties in attendance shall make a good faith effort to narrow the issues, reach joint stipulations to dispose of uncontested matters, discuss and attempt to resolve any matters concerning the authenticity or admissibility of exhibits produced in response to discovery, and attempt a settlement of the matter.

D. Hearing Officer Conference Order and Affidavit - Failure to Comply

If one party does not provide the necessary information required by the Hearing Officer Conference Order or Affidavit for the Hearing Officer to make a determination as to the issues before the Court, then the Hearing Officer will have the discretion to (1) render a Hearing Officer Conference Report based on the information provided by the other party, or (2) such other relief as is appropriate under the circumstances, including issuing interim orders and/or refixing the Conference and scheduled Court date, and contemporaneously taxing the deficient-filing party with court costs and attorney fees.

E. Hearing Officer Conference Report

At the Hearing Officer Conference, the Hearing Officer will also prepare a written Hearing Officer Conference Report in compliance with 4th JDC Family Docket Form 3.0 or a substantially similar form, which includes a summary of the disputed and undisputed facts and circumstances underlying the issues before the Court, and provides specific recommendations to the Court, including, within the discretion of the Hearing Officer, a recommendation that an issue should be deferred to the presiding judge. The Hearing Officer Conference Report shall indicate the parties and legal counsel in attendance, and shall further note the failure to appear or to remain for the duration of the Hearing Officer Conference by any party or legal counsel.

F. Agreements and Stipulations at Hearing Officer Conference

If both parties agree on some or all of the issues before the Court during the Hearing Officer Conference, the Hearing Officer shall prepare a written agreement for the review and execution of the parties and their legal counsel (if represented), together with an appropriate judgment or order incorporating and

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implementing the agreement of the parties. Any such agreement shall contain an acknowledgment that no objection or appeal may be filed to same. In the event the agreement is only a partial agreement, the Hearing Officer shall prepare a Hearing Officer Conference Report containing a summary of disputed and undisputed facts and a list of recommendations on those issues on which there is no agreement.

G. Objections to Hearing Officer Conference Report

1. After the Hearing Officer issues the written Hearing Officer Conference Report, the parties will have three (3) days, exclusive of weekends and legal holidays, from the date of the rendition of said Report, to file a written objection with the office of the Clerk of Court for the parish in which the case is pending. A party's objection shall be directed to specific recommendations and shall provide legal and/or factual basis for the objection.
2. A party filing an objection shall be obligated to provide the Hearing Officer and all parties with a copy of the objection. The objecting party shall provide a copy of the objection to all parties at the same time and in the same manner in which said objection was delivered to the Clerk of Court, or in a manner which is the functional equivalent thereof. Thus, if an objection is hand delivered to the Clerk of Court, all parties are entitled to receive a copy of same at the same time or earlier by hand delivery or its functional equivalent, such as by facsimile transmission.
3. If one party files an objection on the last day on which an objection may be filed, and the other party has not yet filed an objection, the party which did not file an objection within the time limit allowed shall have three (3) additional days, exclusive of weekends and legal holidays, within which to file a written objection. This shall not be construed to allow a party which has already filed an objection to amend or supplement the objection which has been filed.
4. Any objection not timely filed in accordance with the above provisions shall be subject to ex parte dismissal by the court, on the court's own motion.
5. If a party files a written objection, said party must also provide to opposing counsel the name, address, and telephone number of each witness who may be called at the hearing held in regard to the objection, and must provide to opposing counsel a copy of each exhibit that might be introduced at said hearing, all within five (5) days after filing the written objection, exclusive of weekends and legal holidays. The opposing party must provide that same information within five (5) days, exclusive of weekends and legal holidays, of the receipt of the witness and exhibit lists from the objecting party. No witness may testify at the hearing and no written document may be introduced at the hearing unless there has been compliance with these disclosure requirements, unless the court finds good cause for the noncompliance with the disclosure requirements and the presentation of such evidence is required to prevent manifest injustice.
6. A party who, after having been duly cited and served with process, fails to appear or remain for the duration of a Hearing Officer Conference waives the right to file an objection to the recommendations contained in the Hearing Officer Conference Report, unless the Hearing Officer has excused the failure to appear or to remain for the duration of the Hearing Officer Conference.

H. Abandonment of Hearing Officer Conference Objections

1. Upon the filing of any objections, if no trial or hearing date is pending, or the case is thereafter continued without date, it shall be the responsibility of the objecting party or parties to file an appropriate pleading requesting a trial or hearing date with the assigned judge no later than 90 days after filing of the objections or the continuance of the case without date, or the objections will be deemed abandoned and will be

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dismissed without prejudice (Cf. L.C.C.P. Art. 561) and the report and recommendations of the hearing officer will be adopted as the judgment of the court.

2. If the trial or hearing is thereafter continued, it must be continued to a date certain, and may not be continued without date except for good cause shown as determined by the assigned judge.

I. Adoption of Hearing Officer Recommendations without Objection

1. If all or part of the recommendations contained in the Hearing Officer Conference Report are not objected to in writing with the Clerk of Court within the delays provided in these rules, then those recommendations contained in the Hearing Officer Conference Report which are not objected to may be adopted by the Court.

2. The Hearing Officer shall be responsible for submitting an appropriate judgment or order which accurately incorporates the recommendations into the form of a judgment or order, and shall attach a copy of the Hearing Officer Conference Report to the proposed judgment or order.

J. Adoption of Hearing Officer Recommendations as Interim Order after Objection

If any recommendation of the Hearing Officer in the Hearing Officer Conference Report is objected to as provided by these rules, then the recommendation may become an interim order, upon approval and execution of the presiding Judge, pending the final disposition of the claims by the Court. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. It shall be the responsibility of the Hearing Officer to prepare the appropriate judgment or order for presentation to the presiding Judge for approval and execution, using 4th JDC Family Docket Form 10.0 or a substantially equivalent form.

K. Adoption of Hearing Officer Recommendations upon Failure to Appear at Trial

If there are no appearances by the objecting parties on the day on which the matter is scheduled for trial, then the assigned civil section judge may, in his discretion, adopt some or all of the recommendations of the Hearing Officer, using 4th JDC Family Docket Form 11.0 or a substantially equivalent form.

L. Specific Procedures for Custody and Visitation at Hearing Officer Conference

At the time of the Hearing Officer Conference, the parties or their respective counsel shall have an opportunity to provide a verbal statement of their positions to the Hearing Officer with regard to the custody and/or visitation issues before the Court. If the parties do agree to custody and visitation, the Hearing Officer will prepare a written stipulation and consent judgment for signature by the parties. If the parties do not agree to custody and/or visitation, the Hearing Officer will render a Hearing Officer Conference Report summarizing the disputed and undisputed facts presented at the Conference, and making appropriate recommendations for a resolution of the issues, including, but not limited to, mediation, custody evaluation(s) by a mental health professional, and alcohol or drug testing.

M. Mediation of Custody and Visitation

In the event the Hearing Officer believes the matter is appropriate for mediation, a recommendation to that effect shall be included in the Hearing Officer Conference Report, including recommendations regarding the

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time within which to comply with any order implementing the recommendation and the manner in which the costs of said mediation should be paid by the parties. The Hearing Officer may, but is not required to, include a recommendation of a specific mediator to perform the mediation. The Hearing Officer shall prepare an Order of Mediation at the time of the Hearing Officer Conference, in substantial compliance with 4th JDC Family Docket Form 6.0 for the review and consideration of the assigned civil judge.

N. Custody Evaluation by a Mental Health Professional

In the event the Hearing Officer believes the matter is appropriate for an evaluation by a mental health professional, a recommendation to that effect shall be included in the Hearing Officer Conference Report, including recommendations regarding the time within which to comply with any order implementing the recommendation and the manner in which the costs of said evaluation should be advanced by the parties. The parties shall either agree to a particular professional, or the Hearing Officer shall select one from a rotating list of competent mental health professionals. The Hearing Officer shall also prepare an Order for Custody Evaluation at the time of the Hearing Officer Conference, in substantial compliance with 4th JDC Family Docket Form 7.0 for the review and consideration of the assigned civil Judge. The Hearing Officer shall also instruct that a certified copy of the order be sent to the mental health professional by the Clerk of Court.

O. Alcohol and Drug Testing

In the event that the parties agree to drug or alcohol testing, the Hearing Officer shall immediately prepare an appropriate order using 4th JDC Family Docket Form 8.0 or a substantially equivalent form. If one party requests testing but the other party does not consent, the Hearing Officer shall schedule a Rule to Show Cause Why Drug/Alcohol Testing should not be ordered. The Rule shall be heard by the Hearing Officer on the next available date that the Hearing Officer will be on the bench. At the conclusion of the evidence, the Hearing Officer shall issue Written Findings of Fact and Recommendations regarding alcohol and drug testing.

P. Specific Procedures for Partition of Community Property

1. At or about twenty-eight (28) days prior to any partition trial on the merits, counsel and the parties shall attend a Hearing Officer Conference (unless waived by the judge) to discuss the nature and basis of their claims and defenses. The assigned civil section judge shall schedule the Hearing Officer Conference as part of the pretrial order, and shall issue or cause to be issued any orders necessary to procure the attendance of the parties and the production of information and documentation necessary to address the issues.

2. In the event the parties are unable to resolve all of the issues regarding the partition of the community, the Hearing Officer shall prepare a Hearing Officer Conference Report using 4th JDC Family Docket Form 3.1 or a substantially equivalent form, summarizing the disputed and undisputed facts and making recommendations regarding the manner in which the assets and obligations of the parties should be partitioned between them, and making recommendations regarding the characterizations of property and/or obligations as separate or community if those issues are presented.

3. In the event the parties are able to reach an agreement on the manner in which the community obligations and assets are to be partitioned between them, the Hearing Officer shall prepare a written agreement for the review and execution of the parties and their legal counsel (if represented), together with an appropriate judgment or order incorporating and implementing the agreement of the parties, using 4th JDC Family Docket Form 4.1 or a substantially equivalent form.

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4. In the event the agreement is only a partial agreement, the Hearing Officer shall prepare a Hearing Officer Conference Report containing a summary of disputed and undisputed facts and list of recommendations on those issues on which there is no agreement.
 5. Any party objecting to any portion of the Hearing Officer Conference Report shall file a written objection with the clerk of court as provided elsewhere in these rules.
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5th Judicial District
Court

Parishes of
Franklin, Richland
and West Carroll

Adopted Effective
April 1, 2007;
amended effective
November 1, 2009

Rule 35.0. Use of Hearing Officers

A. Appointment of Hearing Officer(s).

There shall be such number of Hearing Officers as authorized by a majority of the District Judges. The District Judges by majority vote, shall fix the salary, or salaries, of the Hearing Officer(s).

B. Authority to Hear Protective Orders.

Pursuant to LSA R.S. 46:2135 and R.S. 46:236.5, Title 9, The Louisiana Children's Code and the Louisiana Code of Civil Procedure, the Court hereby authorizes the Hearing Officer(s) to hear and dispose of all matters pertaining to Protective Orders in Franklin Parish, Richland Parish, and West Carroll Parish as authorized by said statutes.

C. Appeal of Hearing Officer's Recommendation on Protective Orders.

A party desiring to object to the Hearing Officer's recommendation in Protective Order Court shall immediately notify the deputy clerk of court present in the courtroom and the Hearing Officer. Both parties shall remain in the courtroom until notified of the date for the rehearing before the district judge. The rehearing shall be held before the judge to whom the case is assigned on the earliest convenient date, but in any event within thirty (30) days of the date of the objection. Where an objection is made, a new temporary restraining order and order setting the date of the rehearing shall be issued.

D. Authority to Hear Support and Support-Related Matters.

Pursuant to LSA R.S. 46:2135 and R.S. 46:236.5, Title 9, The Louisiana Children's Code and the Louisiana Code of Civil Procedure, the Court hereby authorizes the Hearing Officer(s) to hear and dispose of all matters pertaining to support and support-related matters in Franklin Parish, Richland Parish, and West Carroll Parish as authorized by said statutes.

E. Appeal of Hearing Officer's Recommendation on Support and Support-Related Matters.

A party desiring to appeal the Hearing Officer's recommendations pertaining to a support, or support-related matter must notify the clerk of court in writing within three business days following the hearing. The appeal shall be heard by the judge of the district court to whom the case is assigned. Upon filing of the appeal, the court shall schedule a contradictory hearing where the judge 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 an appeal or 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.

F. Full Exercise of Powers.

It is intended that the Hearing Officer(s) shall fully exercise all powers and authority granted by law in connection with Protective Orders, support, and support-related matters and nothing shall be construed to limit those statutory power.

G. Defendant's Right to Purge Himself of Contempt.

In any instance in support court where the Hearing Officer and/or the Court imposes a period of incarceration, the defendant may purge himself of contempt and be released from jail, if incarcerated, upon paying the full amount of arrearages owed.

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

H. Limitation on Counsel.

An attorney shall not give counsel or countenance to a domestic client to file for a pro se protective order under Titles 9 or 46 of the Louisiana Revised Statutes, nor the Louisiana Children's Code, nor the Louisiana Code of Civil Procedure article 3601 et seq, in an attempt to circumvent normal docketing time lines, the requirement for advancement of court costs or the random allotment of cases. If the conduct prohibited in the first sentence of this paragraph occurs, the court shall either dismiss the pro se proceeding with the Article 102 or 103 divorce proceeding.

I. Hearing Officer Conferences.

At the Hearing Officer Conference, the Hearing Officer will make findings of disputed and undisputed facts and recommendations regarding the issues that are before the Court. The parties will then have seven (7) days, inclusive of weekends and holidays, to file a written objection with the office of the Clerk of Court for the parish in which the case is pending. A party's objection shall be directed to specific recommendations and shall provide legal and/or factual basis for the objection. A party filing an objection shall be obligated to provide the Hearing Officer and all parties with a copy of the objection. If all or part of the Hearing Officer's recommendations are not objected to in writing, then those which are not objected to may be adopted by the Court. The District Judge to whom the case is assigned will decide the issues that are objected to, at trial.

J. Emergency Status Conferences.

The court recognizes the need in some cases to have emergency status conferences to temporarily establish custody, visitation, child support and related disputes in advance of the hearing date before the district judge on such matters. The Hearing Officer will handle these emergency status conferences for all three divisions. If the need arises for such an emergency status conference, the Hearing Officer can be contacted to set up a date and time for this temporary relief conference.

K. Pre-Trial Memorandum. Unless dispensed with by the Court in advance, all parties in all contested domestic relations cases which have been set for hearing on a rule to show cause or a trial on the merits as set forth above, shall submit to the Court a Pre-Trial Memorandum not later than five (5) working days prior to trial. Failure to timely file memoranda may, at the Court's discretion, result in sanctions including, but not limited to, depriving that party of any right to oral argument, removing the case from the docket, or precluding that party from calling witnesses not listed or introducing exhibits not listed.

The original copy of the Memorandum shall be filed with the Clerk of Court in the parish where the action is pending. A courtesy copy shall be mailed to the presiding judge at that judge's office address. A copy shall be mailed to all opposing counsel.

The Memorandum shall contain:

- 1) A statement of facts the attorney thinks the evidence will show.
- 2) In the event the attorney believes the facts will be controverted, a statement as to the controverted issues of fact.
- 3) A brief statement as to contested issues of law, and case citations for those matters which the attorney believes support his/her position in the matter.
- 4) Citation of any other applicable cases which the attorney wishes to call to the Court's attention.

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Use of Hearing Officers

- 5) A schedule of exhibits including a list and brief description of the exhibits to be offered.
 - 6) A list of witnesses including names and addresses and a brief summary of the anticipated nature of the testimony of each witness.
-

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

RULE XXIII. SUPPORT ENFORCEMENT (CIVIL AND CRIMINAL)

- A. Pursuant to LSA-R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, 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 the Court en banc, to hear support and support related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure; all of whom shall serve at the pleasure of the Court.
 - B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her, or them by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 as they presently exist, or as they may be, from time to time, supplemented or amended in the future.
 - C. The Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed within three (3) days from the date of the hearing. 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.
 - D. The Court shall fix the salaries of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.
-

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

8th Judicial District
Court
Parish of Winn

RULE XXI. HEARING OFFICER(S), RELATED PERSONNEL AND PROCEDURES RELATIVE TO EXPEDITED PROCESS FOR THE ESTABLISHMENT, MODIFICATION AND ENFORCEMENT OF SUPPORT OBLIGATIONS

A. 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 a Hearing Officer, appointed by the Court, to hear support and support related matter, including contested and uncontested paternity cases, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court. The Judge, at his option, may implement the expedient process by conducting the trial without a hearing officer.

B. Such Hearing Officer shall be an attorney who has been in good standing with any state bar association for not less than five years and has experience in cases involving child support services. Such Hearing Officer(s) shall have authority to perform, and shall perform any and all duties assigned by the Judge which are consistent with LSA-R.S. 46:236.5 as it presently exists or as it may be, from time to time, supplemented or amended in the future.

C. The Court shall hold a contradictory hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed with the Clerk of Court within three (3) days from the date of the hearing. 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. The contradictory hearing shall 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 determines that additional information is needed, he may receive the evidence at the hearing or remand the proceeding to the Hearing Officer.

D. The Court shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

9th Judicial District
Court
Parish of Rapides

RULE XXVIII. IMPLEMENTATION OF HEARING OFFICER UNDER LSA-R.S. 46:236.5 and
46:2135(I)

Amended 9-1-2005

Revised effective
Nov. 16, 2005

Hearing Officer(s), Related Personnel and Procedures Relative to Expedited Process for the Establishment
Modification and Enforcement of Support Obligations.

A. Pursuant to LSA-R.S. 46:236.5 and R.S. 46:2135(1) 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 hear and initial rule to show cause why the protective order should not be issued, as well as to hire and employ any and all such other personnel deemed necessary to implement this procedure, all on such terms and for such salaries as may be fixed by a majority vote of the Court.

1. Effective September 1, 2005, the Clerk of Court shall allot all Title 46 matters to a Court Division in accordance with Rule V of the Rules of the Ninth Judicial District Court.
2. Regardless of the Division to which a matter is allotted the FIRST hearing of any kind of relevance to the issuance of a TRO shall be set for hearing by Hearing Officer(s) on Fridays at 9:30 A.M. in Courtroom Number 7, or at such a time and place as may be approved by the Court.
3. Recommendations for Judgment submitted by Hearing Officer(s) shall be signed by the Order-signing Judge.
4. Any subsequent action in the same numbered case, of any kind (including: a second request for a TRO; a re-conventional demand not already set for hearing by the first request; a rule for contempt; a petition for divorce, or paternity, or custody; or any other petition for the allotted Division) shall be set for hearing in front of the Judge to whom the case was originally allotted.
5. In such cases as a second request for a TRO that will be set for hearing in front of the allotted Judge, the Hearing Officer(s) may sign/grant the TRO that is being set.
6. The Judge to whom the case was allotted may refer subsequent hearings back to the Hearing Officer(s) preferred by that Judge.

B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him or her or them by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 and R.S. 46:2135(I) as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from appearing before the Ninth Judicial District Court as lawyers in contested cases.

C. The Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed within three (3) days as it applies to Child Support matters under LSA-RS 46:236.5 and three (3) days as it applies to protective orders under LSA-RS 46:2135(I) from the date of the Hearing Officer's recommendation. 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.

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

**10th Judicial District
Court**

**Parish of
Natchitoches**

Amended effective
September 1, 2011.

Rule 35.0 Use of Hearing Officers

Hearing Officer(s), Related Personnel and Procedures Relative to Expedited Process for the Establishment, Modification and Enforcement of Support Obligations.

A. Pursuant to LSA-R.S. 46:236.5 and R.S. 46:2135(I) this Court hereby implements an expedited process for the establishment, modification, and enforcement of support obligations in all divisions of the court, by authorizing and directing an additional docket for review purposes, and authorizing and directing one or more Hearing Officers, appointed by the Court, to hear support and support related matters, and to take other such measures deemed necessary as part of an expedited process, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all on such terms and for such salaries as may be fixed by the Court.

B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her or them, by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 and R.S. 46:2135(I) as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from appearing before the Tenth Judicial District Court as lawyers in contested cases.

C. The Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a written objection pursuant to R.S. 46:236.5 C(6). Such objection shall be filed within three (3) days from the date of the Hearing Officer's recommendation. 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.

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

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

Adopted Effective
May 1, 2003;
amended effective
April 20, 2009;
amended effective
May 7, 2009.

1. Use of Hearing Officer

a. Pursuant to LSA-R.S. 46:236.5, the Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by selecting and appointing one or more Hearing Officers to hear support related matters, and by hiring and employing any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure and under the direction of the Court.

b. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Judges of the 13th Judicial District Court which are consistent with LSA-R.S. 45:236.5, or other applicable laws, as they presently exist or as they may be, from time to time, supplemented or amended in the future. Additionally, said Hearing Officer is authorized to handle protective orders and juvenile traffic matters to the extent allowed by law under the direction of the judges of the 13th Judicial District Court. The Hearing Officer is further authorized to handle any and all other matters allowed by future legislation.

c. The Judges of the 13th Judicial District Court, by majority vote, shall select said hearing Officer(s) and shall fix the salary and terms and conditions of employment of said Hearing Officer(s) and any such other personnel hired or employed to implement this procedure.

2. General Information

a. There shall be such number of hearing Officers for the 13th Judicial District Court as authorized by majority determination of the Judges of the 13th Judicial District Court.

b. The Hearing Officers shall perform Intake Conferences on all matters concerning child custody and visitation, child support, interim spousal support, final spousal support, and use and occupancy of the family home and movables, and such other matters as may be authorized by law.

c. The Clerk of Court's office will handle and be responsible for the processing, filing, issuing notices and subpoenas and all other duties associated with this expedited process.

3. Intake Conferences

a. After the filing of initial pleadings with the Clerk of Court, all parties will be provided notice and will be required to attend an Intake Conference with the assigned Hearing Officer.

b. The initial Intake Conference will be scheduled within thirty (30) days following the filing of the pleading.

c. At the Intake Conference, the Hearing Officer will determine the issues of the case and make recommendations for child support, interim spousal support, final periodic support and use and occupancy of the family home and movables, and such other matters as may be authorized by law.

d. At the Intake Conference, the hearing officer will also review any custody and/or visitation matters in the case.

e. All attorneys shall bring their calendars to the Intake Conference to facilitate in scheduling additional conferences or rule dates.

4. Child Support and Spousal Support

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

- a. The hearing officers will make recommendations in child support and spousal support matters as follows:
 - a. Initial settings of child support and spousal support;
 - b. Modifications;
 - c. Contempt.
- b. Seven (7) days prior to the Intake Conference, where child support is an issue, both parties shall submit to the hearing officer the following items:
 - (1). A current Income and Expense Declaration Statement;
 - (2). The last two (2) years of their state and federal income tax returns, including all attachments, specifically all schedules, W-2 forms, 1099 forms and amendments;
 - (3). The last four (4) pay check stubs. In the event no pay check stubs are available, other appropriate documentation shall be attached;
 - (4). If a party is self-employed or employed by a closely held business entity in which the party has an ownership interest, that party shall be required to submit to the court business and personal tax returns for the previous two (2) years, check registers, bank statements and canceled checks for their personal and business accounts and their business credit card statements for the previous twelve (12) months.
 - (5). Any information concerning health insurance, including proof of health insurance such as cards or policies and the cost of the health insurance;
 - (6). Any information concerning day care costs, including proof of costs such as the day care fee schedule and canceled checks for at least four (4) months if available.
 - (7). Parties will be required to file a memorandum of issues, with the financial information, if they are seeking a deviation in child support or the case involves an unusual issue of law. This memorandum shall include case law or statutory authority in support of the hearing officer recommendation.
 - (8). After the hearing officer makes the recommendation, the parties will have three (3) days, exclusive of legal holidays, from the date of the hearing, to object to the hearing officer recommendation.
 - (9). If the hearing officer's recommendation is not objected to within three (3) days, then the hearing officer's recommendation becomes a final order and may thereafter be presented to the court for signature. A certification of the hearing officer's recommendation must be attached to the final order.
 - (10). If both parties agree to the hearing officer's recommendation on the day of the Intake Conference, then the hearing officer's recommendation may become a final order. Both parties must sign a waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing officer's recommendation must be attached to the final order.
 - (11). If both parties agree to the amount of child support or spousal before the Intake Conference or before the hearing officer makes a recommendation at the Intake Conference, then the parties may prepare and sign a hearing officer's recommendation sheet to become a final order. Both parties must sign a waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing officer's recommendation must be attached to the final order.
 - (12). If the hearing officer's recommendation is objected to, then the hearing officer's recommendation becomes an interim order pending the final disposition of the claims by the Court. This interim order shall be without prejudice, effective the date of the meeting with the Hearing Officer and shall not affect the retroactivity of the claims of either side. The District Judge shall sign the interim order after review of the Hearing Officer's recommendation, and the interim order shall be without prejudice.
 - (13). If one party does not provide the necessary financial information at the Intake Conference to make a determination as to the amount of child support or spousal support, then the hearing officer will have the authority, within his/her discretion, to set an interim child support or spousal support amount based on the financial information provided by the other party. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. The party who failed to provide the necessary financial information at the Intake Conference may request a new Intake Conference date, which the Hearing Officer, at his/her discretion, may grant, in order to provide the necessary financial information and to recalculate the child support or spousal support.

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Rule No: 35.0

Use of Hearing Officers

(14). Any party requesting attorney fees pursuant to a Contempt proceeding shall provide the Court with an itemized account reflecting the time spent and the hourly rate charged in preparation of the Contempt proceeding.

5. Custody and Visitation

- a. If the parties have agreed to the initial custody and/ or visitation or a change of custody and/or visitation at the Intake Conference, the parties will sign a stipulation to that effect and a certification form. This form shall thereafter be submitted to the Judge for signature and become a final judgment.
- b. If the parties do not agree to custody and/or visitation, the hearing officer will determine if the case needs to be referred to mediation, psychological evaluations, or set for a hearing before the Court.
- c. If mediation or psychological evaluation is recommended by the hearing officer at the Intake Conference, the hearing officer will determine, at the Intake Conference, the terms and conditions upon which the parties are to pay for the mediation and/or psychological evaluations and prepare an order to that effect.
- d. The parties who have been referred to mediation or psychological evaluations will be required to provide proof to the Court as to the appointments set for mediation or evaluations within fifteen working days after the Intake Conference.
- e. Pending a final determination by the Court regarding any custody or visitation issue, the child(ren)'s previously established living situation should not be radically altered or changed without prior Court approval.

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

15th Judicial District Court

Parishes of Acadia, Lafayette and Vermilion

Amended October
31, 2007; amended
effective August 18,
2009; amended
effective April 12,
2011.

Section A. Matters to be heard by Hearing Officers

The Hearing Officers shall perform Hearing Officer Conferences on summary proceeding matters concerning child custody and visitation, child support, interim spousal support, final periodic support, use and occupancy of the family home, use of community movables property, contempt of court, attorney's fees and such other matters as may be authorized by law or as directed by the District Judge. Upon the request of counsel, a party shall have the right to be present in a Hearing Officer Conference, and may testify to the extent deemed appropriate by the Hearing Officer.

In all suits for annulment, divorce and separation and in suits assigned to the Family Docket, each party shall prepare and submit the appropriate mandatory Hearing Officer Conference Affidavits and Checklists as set forth in Appendix 3 within the time delays set forth herein. To the extent documents are relied upon by the Hearing Officer in making a recommendation, said documents shall be filed into the record of the proceeding unless waived by counsel of record, or by the party if unrepresented.

Section B. Hearing Officer Conference

1. After filing initial pleadings with the Family Docket, all parties shall be required to attend a Hearing Officer Conference with the assigned Hearing Officer, with the following exceptions:

(a) When a party is seeking final periodic spousal support, the matter shall be bifurcated and fixed in regular course on the appropriate divisions' docket for a determination of the issue of mover's freedom from fault. Thereafter if the moving party is found to be free from fault, a Hearing Officer Conference shall be scheduled as soon as the docket permits to determine the amount of final periodic spousal support. If either party timely objects to the Hearing Officer's Recommendation, the matter shall be fixed before the District Judge as set forth in Section C, below. If a bifurcated hearing is held, the ruling of the Court on the issue of fault shall be considered an interlocutory decree if the moving party is found free from fault and shall not be a final judgment until there has been a determination setting the amount of the spousal support.

(b) Termination of the community property regime in accordance with C.C. Art. 2374(C) which shall be set expeditiously by the Clerk.

(c) A judicial determination that the detailed descriptive list of a party is deemed to constitute the community assets and liabilities in accordance with R.S. 9:2801(A)(1)(a).

(d) Discovery motions which shall be set expeditiously by the Clerk.

(e) Matters that require the services of an attorney ad hoc to locate an absentee party when the appointed attorney has been unable to locate the absentee party.

(f) Preliminary injunctions between spouses as permitted by C.C.P. Art. 3604(B).

(g) Motion for Sanctions.

2. The initial Hearing Officer Conference shall be scheduled as soon as the docket permits following the filing of the pleading.

3. If there are complicated or extraordinary issues that will require a Hearing Officer Conference longer than an hour, the parties shall notify the Hearing Officer of this fact at the time the order to set the Hearing Officer Conference is filed, or immediately upon determining that a longer time is necessary. Thereafter, the Hearing Officer may schedule a longer Hearing Officer Conference to accommodate the issues of the case if time is available.

TITLE IV

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Use of Hearing Officers

4. If, however, the Court determines that there exists a situation of immediate danger or immediate need, the initial conference shall be scheduled at an earlier date at the request of the parties.
5. All attorneys shall bring their calendars to the Hearing Officer Conference to facilitate in scheduling additional conferences or rule dates.
6. Parties shall be required to file a memorandum of issues, with the financial information, if they are seeking a deviation in child support or the case involves an unusual issue of law. The memorandum shall include case law or statutory authority in support of the deviation or the unusual issue of law.
7. At the Hearing Officer Conference, the Hearing Officer shall determine the issues of the case and in conjunction therewith, shall hear and make recommendations regarding:
 - (a) Contested and uncontested paternity cases.
 - (b) Establishment and modification of child and spousal support.
 - (c) The use and occupancy of the family home and use of community movable property pursuant to La. R.S. 9:374(c).
 - (d) The method of collection of child and spousal support.
 - (e) Calculation of arrearages, contempt of court, attorney's fees and sanctions as provided by law.
 - (f) The referral of parties to mediation.

Section C. Hearing Officer Recommendation and Objection Procedure

1. A copy of any written recommendation rendered by the Hearing Officer shall be provided to the parties and their counsel at the time of the Hearing Officer's ruling, if present. The recommendation(s) of the Hearing Officer shall be filed into the record, but shall not be provided to the Judge hearing the case. Further, the parties' Mandatory Affidavit for Child Support Matters set forth in Appendix 3(B) and the Mandatory Checklist for Spousal Support Matters set forth in Appendix 3(C), as well as their current Income and Expense Declaration Statement set forth in Appendix 4 shall also be filed in the record of the proceeding.
2. If both parties agree to the Hearing Officer's recommendation on the day of the Hearing Officer Conference, then the Hearing Officer's recommendation shall become a final order after signature by the Judge. Both parties must sign a waiver to the three (3) day objection period.
3. Any party who disagrees with a recommendation of a Hearing Officer on a matter set forth may file a written objection thereto substantially in compliance with Appendix 11 within three (3) days unless otherwise set forth by these rules.

If the parties cannot agree on the matters fixed for Hearing Officer Conference, then the Hearing Officer shall recommend a temporary order on all matters which shall be forwarded to the District Judge for consideration as a temporary order after the objection period has expired.

If a written objection to the Hearing Officer recommendation is timely filed by either party, then the Hearing Officer recommendation shall be forwarded to the District Judge who may accept, reject, or modify it in whole or in part as a temporary order after the objection period has expired until a contradictory hearing can be had. Any such temporary order signed by the District Judge shall be considered interlocutory in nature.

Upon timely written objection filed by either party, the matter shall proceed to the scheduled contradictory hearing (or a contradictory hearing shall then be scheduled if not previously fixed) where the Judge shall hear the matter de novo.

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

To preserve the right of de novo review, in the event of an objection to the Hearing Officer's recommendations, there shall be no discussion regarding the merits of the case with the District Judge assigned thereto.

4. If no written objection is filed with the Clerk of Court within the time and manner established, the recommendation shall become a final judgment of the Court and shall be signed by a District Judge as a final judgment. The judgment, after signature by a District Judge shall be served upon the parties in accordance with law.

5. If either party does not provide the required financial information as ordered by the Court at the Hearing Officer Conference necessary to make a determination as to the amount of child support or spousal support, then the Hearing Officer, in order to do substantial justice, may recommend that the party failing to produce the financial information be found in contempt of court with sanctions to be imposed, and/or may recommend that the matter be dismissed without prejudice and/or may recommend that good cause exists to modify the retroactivity of the award, and/or may make temporary recommendations based upon the limited information provided. If the Hearing Officer is unable to make a recommendation based upon the information provided, the Court may set a limited hearing for purposes of fixing temporary child support or spousal support. The temporary order shall be without prejudice and shall not affect claims of retroactivity except for good cause shown.

**15th Judicial District
Court** See attached Form 3.
**Parishes of Acadia,
Lafayette and
Vermilion**

**15th Judicial District
Court** See attached Form 4.
**Parishes of Acadia,
Lafayette and
Vermilion**

**15th Judicial District
Court** See attached Form 11
**Parishes of Acadia,
Lafayette and
Vermilion**

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

21st Judicial District
Court

Parishes of
Livingston, St.
Helena and
Tangipahoa

Amended effective
November 30, 2011

THE HEARING OFFICER

Section 1

The judges of the District, by en banc order, may retain hearing officers, whose duties and powers are prescribed by law. The schedule of the Hearing Officer(s) shall be outlined on the Official Court Calendar.

Section 2

The Hearing Officer shall hear all contradictory motions for Protective Orders throughout the District, unless otherwise directed by the allotted (presiding) judge. Appeals from Hearing Officer decisions shall be as provided by law and to the allotted Division of Court, and judgments shall be signed by the allotted judge.

Section 3

The hearing Officer shall hear all non-support matters throughout the District. Appeals from Hearing Officer decisions shall be as provided by law and to the allotted Division of Court, and judgments shall be signed by the allotted judge.

Section 4

The Hearing Officer may be assigned other substantive duties allowed by law upon order of the Court, en banc. The Hearing Officer shall perform such administrative duties as assigned by the Chief Judge.

TITLE IV

Chapter: 35 Chapter Title: ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule No: 35.0

Use of Hearing Officers

22nd Judicial District Court

Parishes of St. Tammany and Washington

Adopted effective
April 2, 2009;
amended eff. Aug.
23, 2010; amended
effective October 1,
2012; amended
effective April 17,
2013.

A. Matters to be Heard by Hearing Officers

The Hearing Officers shall conduct Hearing Officer Conferences on summary proceeding matters concerning child custody and visitation, child support, interim periodic support, final periodic support, use and occupancy of the family home, use of community movable property, contempt of court, attorney's fees and such other matters as may be authorized by law and as directed by the District Judge.

B. Hearing Officer Conference

After filing of Family Court pleadings, all parties and their attorneys of record, or attorneys with full settlement authority, shall be required to attend a Hearing Officer Conference with the assigned Hearing Officer, unless specifically waived by the Court.

C. Waiver of Hearing Officer Conference

1. Final Periodic Support Cases

When a party is seeking final periodic support, the matter shall be bifurcated and first set in regular course on the appropriate Division's trial docket for a determination of the issue of mover's freedom from fault. Thereafter, if the moving party is found to be free from fault, or the parties stipulate to mover's freedom from fault, a Hearing Officer Conference shall be scheduled, as soon as the docket permits, for a recommendation on the amount of final periodic support. If either party objects to any of the Hearing Officer's recommendations, the matter shall proceed before the District Judge as scheduled. If a bifurcated hearing is held, the ruling of the Court on the issue of fault shall be considered an interlocutory decree if the moving party is found free from fault, and shall not be a final judgment until there has been a determination of the amount of spousal support.

2. Absentee Party Cases

A motion to appoint an attorney to locate and represent the interests of an absentee party does not require a Hearing Officer Conference prior to presentation of an order to the Judge for appointment. An appointed attorney shall appear either in person or by pre-arranged telephone conference, and represent the interests of their client at the assigned Hearing Officer Conference which addresses the merits of the case.

3. Domestic Violence Cases

If there has been a judicial determination of domestic violence between the parties, they shall not be required to appear at the Hearing Officer Conference. Documentation establishing the violence shall be provided to the Hearing Officer Coordinator, at facsimile number (985) 809-5398, immediately after notice of the Hearing Officer Conference is received.

4. Cases in which Exceptions are Filed

If an Exception has been filed involving issues that are required to be set before a hearing officer, then the hearing officer conference will be continued pending the ruling on the exception. The Exception shall be set before the Judge on an expedited basis, if time is available, or on the Division's next available hearing date. At the Exception hearing, a Hearing Officer Conference and Rule date will be set, if still necessary, by the minute clerk, who will issue new dates and serve the parties with notice. At the Judge's discretion, the Hearing Officer Conference may be waived.

D. Procedure Prior to the Hearing Officer Conference

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1. In all suits for divorce and in suits assigned to the Family Court, each party shall be served with a Hearing Officer Conference Order, (Appendix Form E) and shall prepare, and exchange with the opposing counsel or party, the appropriate mandatory Family Court Affidavit (Appendix Form F), with required attachments, within three (3) days, exclusive of legal holidays, prior to the Hearing Officer Conference. The original Family Court Affidavit and required documents shall be submitted to the Hearing Officer at the Hearing Officer Conference.
2. Failure to comply with Rule 35.0 (D)(1) may result in penalties and sanctions. [See Rule 35.1 (C)]
3. If there are complicated or extraordinary issues that will require a Hearing Officer Conference longer than one and one-half (1½) hours, the parties shall request an extended Hearing Officer Conference in the order attached to the pleading.
4. If a case involves an unusual issue of law or a deviation in child support, a party may file a memorandum. The memorandum shall include case law or statutory authority in support of the deviation or on the unusual issue of law. The memorandum must be provided to the Hearing Officer, opposing party and/or counsel at least three (3) days, exclusive of legal holidays, prior to the Hearing Officer Conference. The responsive party may file a memorandum one (1) day prior to the Hearing Officer Conference and shall provide a copy to the Hearing Officer and opposing counsel or party at the time of filing.

E. Procedure During the Hearing Officer Conference

All parties and their attorneys are required to participate in the Hearing Officer Conference. No party or attorney will be allowed to participate by telephone unless extraordinary circumstances exist and the request is approved in advance by the Hearing Officer. The party making the request shall notify the opposing party and inform the Hearing Officer if the request is opposed. The original Family Court Affidavit and required documents shall be submitted to the Hearing Officer at the Hearing Officer Conference.

At the time of the Hearing Officer Conference, the Hearing Officer may make a finding that a mediator and/or a parenting coordinator should be appointed. The Hearing Officer may also make recommendations referring the parties to the court's social workers or other mental health professionals or experts to discuss parenting schedules, co-parenting and parenting classes, medical and/or psychological evaluation, drug testing, counseling, and substance abuse treatment.

1) Mediation:

a) The parties shall have an opportunity to provide a verbal statement of their positions to the Hearing Officer with regard to the custody and/or visitation issues before the Court. The Hearing Officer may make a finding that the matter is appropriate for mediation, or another form of alternative dispute resolution.

b) The case may be mediated by court approved mediators who meet qualifications set forth in La R.S. 9:334. Mediators shall preserve and maintain the confidentiality of mediation proceedings pursuant to La R.S. 9:332C.

c) In order to be listed as an approved mediator, a mediator must submit to the family court, proof of their compliance with La. R.S. 9:334 and provide a resume.

d) Notwithstanding any other provision of law to the contrary, in any separation, divorce, child custody, visitation, child support, alimony, or community property proceeding, a party who satisfies the court that they, or any of the children, have been the victim of family violence perpetrated by the other party

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shall not be court ordered to participate in mediation.

2) Counseling or Therapy

If the Hearing Officer believes that counseling or therapy should be ordered, the Hearing Officer shall make a written recommendation regarding same.

3) Evaluation

At the time of the Hearing Officer Conference, if either party has moved for an evaluation pursuant to La. R.S. 9:331, the parties or their counsel shall have an opportunity to provide a verbal statement and/or documentary evidence of their positions. The Hearing Officer shall then recommend whether an evaluation is appropriate, and, if so, how the costs shall be apportioned. This will remain a recommendation only until the date assigned for hearing on the court's docket, unless no objection is filed, in which case the recommendation becomes a final order of the court.

Unless otherwise agreed by the parties, when an evaluation is ordered by the Court pursuant to La. R.S. 9:331, the "mental health professional" shall be a person who possesses at least a Master's degree in counseling, social work, psychology, or marriage and family counseling, or be a licensed psychiatrist.

4) Parenting Coordination

If the Hearing Officer makes a finding that appointing a parenting coordinator is appropriate, (1) The 22nd Judicial District Court Social Workers, who are trained and qualified in parenting coordination in accordance with La. R.S. 9:358.1 et seq. may be appointed in special circumstances and only if the parties agree to be bound by their recommendations until the court issues orders to the contrary at a subsequent hearing. The party objecting to the recommendations of the parenting coordinator shall be required to file and set the matter for hearing before the judge; or (2) the Hearing Officer may recommend any private parenting coordinator qualified under La. R.S. 9:358.1, and assign costs to the parties.

5) Drug Testing

a) When a Pleading has been filed requesting Drug Testing

At the time of the Hearing Officer Conference, if either party has moved for drug testing pursuant to La. R.S. 9:331.1, the parties shall have an opportunity to provide a verbal statement and/or documentary evidence of their positions. The Hearing Officer shall then recommend whether drug testing is appropriate, and, if so, the type of drug testing and how the costs should be apportioned. This will remain a recommendation only until the date assigned for hearing on the court's docket, unless no objection is filed, in which case the recommendation becomes a final order of the court.

If the Hearing Officer Determines at the Hearing Officer Conference that drug testing of the parties or children should be expedited before the assigned hearing date before the Judge, the Hearing Officer may re-set the hearing on drug testing to the earliest date on the Judge's docket. The parties are to be noticed or execute a waiver of notice of hearing at the Hearing Officer Conference.

b) When a Pleading has not been filed requesting Drug Testing

If the Hearing Officer determines at the Hearing Officer Conference that drug testing of the parties or children should be ordered on an expedited basis, the Hearing Officer may recommend that an Order issue setting the matter for contradictory hearing at the earliest date on the Judge's docket. The parties are to be noticed or execute a waiver of notice of hearing at the Hearing Officer Conference.

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c) Parties agree to Drug Testing

If the parties agree to drug testing, they shall sign a release provided by the Court, for release of drug testing records to the Court, to the opposing party or their attorney, if requested, and to an expert appointed by the court in the matter.

6) Substance Abuse Treatment

If, at the time of the Hearing Officer Conference, the Hearing Officer finds that substance abuse treatment is appropriate, the Hearing Officer shall make a recommendation regarding same. This will remain a recommendation only until the date assigned for hearing on the court's docket, unless no objection is filed, in which case the recommendation becomes a final order of the Court.

All attorneys shall have access to their calendars at the Hearing Officer Conference to facilitate future scheduling.

F. Procedure after the Hearing Officer Conference

1. At the conclusion of the Hearing Officer Conference, the Hearing Officer shall make recommendations for a proposed judgment.

2. If both parties agree to the Hearing Officer's recommendations on the day of the Hearing Officer Conference, then the Hearing Officer will prepare a Consent Judgment which shall become a final order after signature by the District Judge. All parties and their attorneys must sign a waiver of the objection period, before the Consent Judgment is signed.

3. If both parties agree to some of the Hearing Officer's recommendations and if time permits, a Consent Judgment will be prepared as to those stipulations, which will become a final judgment after signature by the District Judge. All parties and their attorneys must sign a waiver of the objection period, before the Consent Judgment may be signed.

4. If one or both parties do not agree with all of the recommendations, the Hearing Officer shall prepare a Hearing Officer Conference Report with recommendations for a proposed judgment pursuant to LSA. R.S. 46:236.5. A copy of the Conference Report shall be provided to the parties and their counsel. The Conference Report shall be filed into the record.

5. Each party shall have five (5) days, exclusive of legal holidays, from the receipt of the Hearing Officer Conference Report to file an objection to the Hearing Officer Conference Report (Appendix Form G), which form is available from the Family Court Division or the 22nd Judicial District Court's website at www.22ndJDC.org. Written objections to the recommendations of the Hearing Officer shall briefly state why the recommendations are objectionable. All issues not stipulated to in the Hearing Officer Conference will be heard on the rule date.

6. If a written objection is filed, the Hearing Officer's recommendation shall become a temporary order upon the Judge's signature, and shall remain in effect until the hearing, with the exception that a recommendation on the issues involving contempt, a change in legal custody, drug testing, substance abuse evaluation or treatment, custody evaluation, relocation, or termination of community property does not become a temporary order, but remains only a recommendation only until the rule date, unless no objection is filed, in which case the recommendation becomes a final order or Judgment

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of the court.

7. If a written objection is filed, it shall not be withdrawn or dismissed unless a Consent Judgment as to all pending matters is filed into the record prior to the rule date.
8. If no objection is filed, then after the expiration of five (5) days, exclusive of legal holidays, the Hearing Officer recommendations will be presented to the District Judge for signature and will become a final judgment which shall be served upon the parties in accordance with law.
9. Prior to the expiration of the objection period, the Hearing Officer or Judge may extend the objection period for good cause.
10. If after an objection to the Hearing Officer recommendation is filed, the parties decide to accept the recommendation, a Consent Judgment signed by all parties and counsel of record must be submitted on or before the hearing date. If the parties do not appear on the court date and no continuance has been granted, the Hearing Officer Conference recommendation becomes a final judgment upon the Judge's signature.
11. If a party and/or their attorney, who has been duly served, fails to appear at the Hearing Officer Conference, the recommendation made may become a temporary court order or may become a final judgment upon the Judge's signature. If a temporary court order is issued, that order shall remain in effect until the rule date without prejudice to either party. The temporary court order shall become a final judgment if no one appears on the rule date.
12. The temporary orders signed by a judge upon the recommendations of the Hearing Officers are without prejudice to either party. Neither party's rights to seek support retroactive to the date of demand are waived as a result of the temporary orders issued after the Hearing Officer Conference.

**23rd Judicial District
Court**

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

Approved the 12th
day of August, 2003.

RULE XXV. HEARING OFFICER

(a) In order to create an expedited process for the establishment of paternity and the establishment and enforcement of support and other related family and domestic matters in the Twenty-Third Judicial District Court, the judges of the Twenty-Third Judicial District Court hereby create one or more positions of Hearing Officer in accordance with the provisions of Louisiana Revised Statute 46:236.5.

(b) The Hearing Officer(s) shall be hired on such terms and salary as may be fixed by a majority vote of the judges of the Twenty-Third Judicial District Court.

C. The Hearing Officer(s) shall have the duties and responsibilities established by a majority vote of the Judges of the Twenty-Third Judicial District Court.

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**24th Judicial District
Court**

The Domestic Hearing Officer

Parish of Jefferson

The domestic hearing officers shall perform hearing officer conferences on all matters set forth in Rule 23 (E) (5) of these rules including but not limited to all spousal and child support matters, except in cases where there is an unresolved allegation or finding of domestic abuse as defined in Rule 23 (E) (5) (b) (i) (c) and 23 (E) (5) (b) (iv) of these rules.

Adopted effective
April 1, 1999;
Revised effective
May 25, 2005;
revised effective
January 1, 2007

Forms Required

1. At the time a petition, motion, or rule to show cause is filed in which an issue exists which is within the authority and responsibility of the domestic hearing officer both the petitioner and the opponent will receive, from the clerk of court, the forms set forth in 24th J.D.C. Domestic Rule 24.0 (A) (3) which must be addressed/and or completed in accordance with the instructions contained in 24th J.D.C. Domestic Rule 24.0 (A) (3).
2. The domestic hearing officer may at any time order the submission of additional relevant information and may order the submission of a pre-trial order, or a memorandum of fact or law.

Scheduling Hearings and Trials; The Order of Business

1. At the time a petition, motion, or rule to show cause is filed in which an issue exists which is within the authority and responsibility of the domestic hearing officer, the clerk of court shall schedule these matters in conformity with 24th J.D.C. Domestic Rule 24.0 (A) of these rules.
 2. Notice of the domestic hearing officer conference, and ensuing hearing or trial date shall be served with the pleading to the defendant, counsel for the opponent, or unrepresented parties at the same time as service of the petition, motion, or rule to show cause.
 3. The domestic hearing officer conferences shall be scheduled in conformity with 24th J.D.C. Domestic Rule 24.1 (B) of these rules.
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**26th Judicial District
Court
Parishes of Bossier
and Webster**

Adopted effective
Nov. 18, 1992;
amended and
effective December
16, 2004.

RULE 33. HEARING OFFICER, RELATED PERSONNEL AND PROCEDURES RELATIVE TO EXPEDITED PROCESS FOR THE ESTABLISHMENT, MODIFICATION AND ENFORCEMENT OF SUPPORT OBLIGATIONS

A. Pursuant to La. 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.

B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them, by the Court which are consistent with La. R.S. 46:236.5 as it presently exists or as it may be from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law in the Twenty-Sixth Judicial District.

C. The District Court shall hold a hearing on a matter that has been the subject of the Hearing Officer's hearing upon the taking of an exception by either party. Such exception shall be made within three (3) days of the Hearing Officer's recommendation. If an exception is made, it shall be randomly assigned and docketed. If no exception is made, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal.

D. 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.

E. 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 arrearages and future arrearages, as well as ongoing support payments, shall be assessed a five percent (5%) administrative fee. All such obligors or payors shall make any and all such payments for support, including the additional five percent (5%) amount, payable to CCU. Such payments shall be made only by money order and shall be mailed to the following address: CCU, P. O. Box 260222, Baton Rouge, LA 70826. Payor's Name, Social Security Number and LASES Number should appear on all money orders.

F. Additionally, said Hearing Officer shall be authorized to preside over hearings regarding domestic matters involving Temporary Restraining Orders and Protective Orders. The Hearing Officer shall make a recommendation and immediately present to the District Judge for signing. The Order shall be forwarded to the Protective Order Registry before the next business day. A request for appeal from the Hearing Officer's recommendation shall be made immediately, in open court, and shall be placed on the next available docket before the District Court.

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Use of Hearing Officers

27th Judicial District
Court

Parish of St. Landry

Adopted effective
Jan. 1, 2000;
amended effective
July 1, 2003.

RULE 4. HEARING OFFICERS

- a. Pursuant to La. R.S. 46:236.5, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by selecting and appointing one or more Hearing Officers to hear support related matters, and by hiring and employing any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure and under the direction of the Court.
- b. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Judges of the 27th Judicial District Court which are consistent with La. R.S. 46:236.5, or other applicable laws, as they presently exist or as they may be, from time to time, supplemented or amended in the future. Additionally, said Hearing Officer is authorized to handle protective orders and juvenile traffic matters to the extent allowed by law under the direction of the judges of the 27th Judicial District Court. The Hearing Officer is further authorized to handle any and all other matters allowed by future legislation. Said Hearing Officer(s) shall serve under the direction of the Court and shall be prohibited from practicing law or performing notarial work in the State of Louisiana.
- c. The Judges of the 27th Judicial District Court, by majority vote, shall select said Hearing Officer(s) and shall fix the salary and terms and conditions of employment of said Hearing Officer(s) and any such other personnel hired or employed to implement this procedure.
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27th Judicial District
Court

RULE 5. HEARING OFFICER RULES

Parish of St. Landry

a. General Information.

Adopted effective
Jan. 1, 2000.

i. There shall be such number of Hearing Officers for the 27th Judicial District Court as authorized by majority determination of the judges of the 27th Judicial District Court.

ii. The Hearing Officers shall perform Intake Conferences on all matters concerning child custody and visitation, child support, interim spousal support, final periodic support, and use and occupancy of the family home and movables, and such other matters as may be authorized by law.

b. Intake Conferences and Rule to Show Cause

i. After the filing of initial pleadings with the Clerk of Court, all parties will be required to attend an Intake Conference with the assigned Hearing Officer.

ii. The initial Intake Conference will be scheduled within thirty (30) days following the filing of the pleading. The Rule to Show Cause shall be set no sooner than ten (10) days after the Intake Conference.

iii. At the Intake Conference, the Hearing Officer will determine the issues of the case and make recommendations for child support, interim spousal support, final periodic support and use and occupancy of the family home and movables.

iv. At the Intake Conference, the Hearing Officer will also review any custody and/or visitation matters in the case.

v. All attorneys shall bring their calendars to the Intake Conference to facilitate in scheduling additional conferences or rule dates.

c. Child Support and Spousal Support.

i. The hearing officers will make recommendations in child support and spousal support matters as follows:

a. Initial settings of child support and spousal support;

b. Modifications;

c. Contempt.

ii. Five (5) days prior to the Intake Conference, where child support or spousal support is an issue, both parties shall submit to the hearing officer the following items.

a. A current Income and Expense Declaration Statement;

b. The last two (2) years of their state and federal income tax returns, including all attachments, specifically all schedules, W-2 forms, 1099 forms and amendments;

c. The last four (4) pay check stubs. In the event no pay check stubs are available, other appropriate documentation shall be attached;

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- d. If a party is self-employed or employed by a closely held business entity in which the party has an ownership interest, that party shall be required to submit to the court business and personal tax returns for the previous two (2) years, check registers, bank statements and canceled checks for their personal and business accounts and their business credit card statements for the previous twelve (12) months;
- e. Any information concerning health insurance, including proof of health insurance such as cards or policies and the cost of the health insurance;
- f. Any information concerning day care costs, including proof of costs such as the day care fee schedule and canceled checks for at least four (4) months if available.
- iii. Parties will be required to file a memorandum of issues, with the financial information, if they are seeking a deviation in child support or the case involves an unusual issue of law. This memorandum shall include case law or statutory authority in support of the deviation or the unusual issue of law.
- iv. After the hearing officer makes the recommendation, the parties will have three (3) days, exclusive of legal holidays, from the date of the hearing, to object to the hearing officer recommendation.
- v. If the hearing officer's recommendation is not objected to within three (3) days, then the hearing officer's recommendation becomes a final order and may thereafter be presented to the court for signature. A certification to the hearing officer's recommendation must be attached to the final order.
- vi. If both parties agree to the hearing officer's recommendation on the day of the Intake Conference, then the hearing officer's recommendation may become a final order. Both parties must sign a waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing officer's recommendation must be attached to the final order.
- vii. If both parties agree to the amount of child support or spousal support before the Intake Conference or before the hearing officer makes a recommendation at the Intake Conference, then the parties may prepare and sign a hearing officers' recommendation sheet to become a final order. Both parties must sign waiver to the three (3) day waiting period to make objections to the recommendation and a certification to the hearing officer's recommendation must be attached to the final order.
- viii. If the hearing officer's recommendation is objected to, then the hearing officer's recommendation becomes an interim order pending the final disposition of the claims by the Court. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side.
- ix. If one party does not provide the necessary financial information for the Intake Conference to make a determination as to the amount of child support or spousal support, then the hearing officer will have the authority, within their discretion, to set an interim child support or spousal support amount based on the financial information provided by the other party. This interim order shall be without prejudice and shall not affect the retroactivity of the claims of either side. The party who failed to provide the necessary financial information at the Intake Conference may request a new Intake Conference date to provide the necessary financial information and to recalculate the child support or spousal support.
- x. Any party requesting attorney fees pursuant to a Contempt proceeding shall provide the Court with an itemized account reflecting the time spent and the hourly rate charged in preparation of the Contempt proceeding.
- d. Custody and Visitation.
- i. If the parties have agreed to custody and/or visitation at the Intake Conference, the parties will sign a

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stipulation to that effect and a certification form. This form shall thereafter be submitted to the Judge for signature and become a final judgment.

ii. If the parties do not agree to custody and/or visitation, the hearing officer will determine if the case needs to be referred to mediation, psychological evaluations, or set for a hearing before the Court.

iii. If mediation or psychological evaluations are recommended by the hearing officer at the Intake Conference, the hearing officer will determine, at the Intake Conference, the terms and conditions upon which the parties are to pay for the mediation or psychological evaluations and prepare an order to that effect.

iv. The parties who have been referred to mediation or psychological evaluations will be required to provide proof to the Court as to the appointments set for mediation or evaluations within fifteen working days after the Intake Conference.

v. Pending a final determination by the Court regarding any custody or visitation issue, the child(ren)'s previously established living situation should not be radically altered or changed without prior Court approval.

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Use of Hearing Officers

32nd Judicial District
Court

Parish of
Terrebonne

Adopted Feb. 1,
1998; amended July
30, 2002.

RULE 14A. NON SUPPORT HEARING OFFICER

14A.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 a Hearing Officer appointed by a majority of the entire Court to hear support and support related matters.

14A.2 Pursuant to the authority of R.S. 46:236.5. in all Title IV-D cases presently pending and arising in the future, the Court shall assess an additional five (5%) percent to each support obligation, including existing arrearages and future arrearages as well as ongoing support payments, beginning March 1, 1998 in accordance with law.

Unless otherwise ordered by the Court the minutes of the Court shall reflect the amount made executory followed by the words "plus five (5%) thereof as a fee to fund the administration costs of the expedited process.

14A.3 The Hearing Officer shall have authority to perform and shall perform any and all duties provided by LSA R.S. 46:236.5 as it presently exists or as it may be, from time to time supplemented and amended, unless limited by the Court.

14A.4 Motion and Contradictory Hearing

Any party may take exception to the Hearing Officer's findings of fact and move for a contradictory hearing before the Judge of the appropriate Division of the Court. A written opposition to the Hearing Officer's Recommendation to the Court shall be filed within three (3) days from the date of the hearing with the Clerk of the Non Support Division of the Family Docket.

Upon filing a "Motion for Contradictory Hearing" opposing the Hearing Officer's Recommendation, the Court shall schedule a contradictory hearing on the Court's next available date to be held before the Judge in the appropriate division. The Judge shall accept, reject, or modify in whole or part the finding of the Hearing Officer.

Except in extraordinary circumstances, if no exception to the Hearing Officer's Recommendation is filed within three (3) days following the initial hearing before the Hearing Officer, an order shall be signed by the Judge of the appropriate Division which shall be a final Judgment and shall be appealable to the appellate court.

14A.5 Docketing of Cases, Development of Forms.

The Terrebonne Parish District Attorney's Office, Non Support Division and the Louisiana Department of Social Services, Support Enforcement Services (SES) shall cause to be docketed, all non support cases, pertaining to the establishment, collection and enforcement of support orders. Such cases shall be heard by a Hearing Officer appointed by the Terrebonne Parish District Court to preside over non support hearings. The Terrebonne Parish District Attorney shall be the prosecuting officer in these cases and shall have a representative in Court when such cases are docketed.

The Hearing Officers are authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through Court, subject to Court approval.

14A.6 Use of Guidelines and Deviation from Guidelines.

The guidelines as set forth in R.S. 9:315, et seq., are to be used in any proceeding to establish or modify child support.

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The Court may deviate from the guidelines if the application would not be in the best interest of the child or would be inequitable to the parties. The Court shall give specific oral or written reasons for the deviation, including a finding as to the amount of support that would have been required under a strict application of the guidelines.

14A.7 Rules and Motions

All Court proceedings must be initiated by written request either by formal motion or by formal rule. The written request must set forth in general terms the relief sought by the moving party or the category of hearing which is being requested (i.e., Reduction, Contempt, etc.), as well as the names of all relevant parties and the docket number of the case.

All rules and motions filed on behalf of the State of Louisiana, either through the Terrebonne Parish District Attorney's Office or Through Support Enforcement Services are the responsibilities of the Terrebonne Parish District Attorney, Non Support Division or Support Enforcement Services. The D.A. or legal representatives of Support Enforcement Services will represent the interest of the State at the hearings. All rules and motions filed on behalf of the defendant/payor must be submitted in writing with an appropriate certificate of service on opposing counsel?

When rules are filed alleging contempt for failure to pay support as ordered, the Regional Support Enforcement Services Office shall procure a computer printout of the defendant's account to assist the Court in determining the proper status of the account. Both parties are to provide proof of support paid and/or received during the period of time in question.

14A.8 Required Information

At the hearings to initially set support or modification of an existing order, both the defendant and the person seeking the order of support or modification, shall bring to Court, a copy of their most recent state and federal tax return, four recent paycheck stubs or a paycheck stub with a year to date amount, proof of the cost for medical insurance premiums to insure the child or children only, and proof of child care expenses, or certification/evidence of state or federal benefits.

14A.9 Uniform Interstate Family Support Act (UIFSA)

When the person owing the support (designated as "Respondent") resides within the jurisdiction of the 32nd Judicial District Court and the petitioner resides in another state, such cases shall be designated as "Responding UIFSA".

In Responding URESA and Responding UIFSA matters, when the Respondent is ordered to contribute to the support of his/her dependents, the Court may order him/her to pay an additional amount as costs not to exceed five (5%) percent of the support order.

14A.10 Change of Address of Defendant and Payee.

Both parties in a court ordered support matter are responsible for notifying the Court in writing through the Regional Support Enforcement Services Office of any change of address or place of employment.

14A.11 Children

Clients and witnesses shall be advised not to bring children to court, unless in unusual circumstances where the children may be called as witnesses. Children, under the age of twelve, shall not be allowed in the

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courtroom without permission of the court.

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Rule No: 35.0

Use of Hearing Officers

35th Judicial District
Court

Parish of Grant

Effective June 1,
2012.

A. Hearing Officer and Expedited Process

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 a Hearing Officer appointed by the Judge of this Court to hear support and support-related matters.

2. The Hearing Officer shall have authority to perform and shall perform any and all duties provided by LSA-R.S. 46:236.5 as it presently exists or as it may be, from time to time, supplemented and amended, unless limited by the Court.

B. Rules and Motions

1. All proceedings must be initiated by written request, either by formal motion or by formal rule. The written request must set forth in general terms the relief sought by the moving party or the category of hearing which is being requested (i.e., Reduction, Contempt, etc.), as well as the names of all relevant parties and the docket number of the case.

2. All rules and motions filed on behalf of the State of Louisiana, either through the District Attorney's Office or through Support Enforcement Services are to be prosecuted by the District Attorney's Office or by Support Enforcement Services. All rules and motions filed on behalf of the defendant/payor must be submitted in writing with an appropriate certificate of service on all interested parties

3. When rules are filed alleging contempt for failure to pay support as ordered, the Regional Support Enforcement Services Office shall procure a computer printout of the defendant's account to assist the Court in determining the proper status of the account. Both the payor and the recipient are to provide proof of support paid and/or received during the period of time in question.

C. Docketing of Cases, Development of Forms

1. The District Attorney's Office shall cause to be docketed all non-support cases pertaining to the establishment, collection, and enforcement of support orders. Such cases shall be heard by the Judge or a Hearing Officer appointed by this Court to preside over non-support hearings.

2. The Hearing Officer is authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through Court, subject to Court approval.

D. Required Information

1. At the support hearing, both the payor and the person seeking the order of support or modification shall bring the following items to Court:

(a) The last two (2) years of state and federal income tax returns, including all attachments, specifically all schedules, W-2 forms, 1099 forms and amendments;

(b) The last four (4) paycheck stubs or a paycheck stub with a year-to-date amount;

(c) All checking and savings account statements for the six (6) months prior to said hearing;

(d) Proof of the cost of medical insurance premiums to insure only the child or children;

(e) Proof of child care expenses; and

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(f) Certification or evidence of any state or federal benefits received by the child.

2. In certain cases, the Court may require the production of any additional information permitted by Code of Civil Procedure article 1420, et seq.

3. If one party does not provide the financial information necessary to make a determination as to the amount of child support, then the hearing officer will have the authority to set the support amount based on the financial information provided by the other party.

E. Motion and Contradictory Hearing

1. Any party may take exception to the Hearing Officer's findings of fact and move for a contradictory hearing before the Judge. A written opposition to the Hearing Officer's recommendation to the Court shall be filed with the Clerk of Court within three (3) days from the date of the hearing to be contested.

2. Upon filing a "Motion for Contradictory Hearing" opposing the Hearing Officer's recommendations, the Court shall schedule a contradictory hearing for a de novo review of the matter by the Judge. At said hearing, the Judge may accept, reject, or modify in whole or part the findings of the Hearing Officer.

3. Except in extraordinary circumstances, if no exception to the Hearing Officer's recommendation is filed within three (3) days following the initial hearing before the Hearing Officer, an order shall be signed by the Judge deeming it to be a final judgment of this Court which is appealable to the appellate court.

F. Fees

1. Pursuant to the authority of LSA-R.S. 46:236.5, in all Title IV-D cases presently pending and arising in the future, the Court may assess an additional five percent (5%) to each support obligation, including existing arrearages and future arrearages, as well as ongoing support payments.

2. Unless otherwise ordered by the Court, the minutes of the Court shall reflect the amount made executory followed by the words "plus five percent (5%) thereof as a fee to fund the administration costs of the expedited process."

G. Uniform Interstate Family Support Act (UIFSA)

1. When the person owing the support (designated as "Respondent") resides within the jurisdiction of the 35th Judicial District Court and the petitioner resides in another state, such cases shall be designated as "Responding UIFSA."

2. In Responding URESA and Responding UIFSA matters, when the Respondent is ordered to contribute to the support of his/her dependents, the Court may order him/her to pay an additional amount as costs not to exceed five percent (5%) of the support order.

H. Change of Address of Defendant and Payee

Both parties in a court ordered support matter are responsible for giving written notification to the Regional Support Enforcement Services Office of any change in address or employment within ten (10) days of said change.

I. Children

Litigants and witnesses are encouraged not to bring children to the Court, unless in the unusual circumstance

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where the children may be called as witnesses.

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Court
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RULE XXII. SEPARATION AND DIVORCE CASES

Section 8. With the objective of facilitating the hearing of domestic, support and alimony issues and other collateral rule matters there is established an expedited hearing process as follows:

A.(1) Pursuant to La. R.S. 46:236.5 this Court hereby implements an expedited process for the establishment of modification and enforcement of support obligations by authorizing the Chief Judge of the 36th Judicial District Court to nominate one or more Hearing Officers to hear support and support related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at his/her pleasure.

(2) All filings in the 36th Judicial District Court in which alimony or support are at issue shall be first referred to the herein established expedited process for the resolution of those issues and any other collateral rule issues as may be appropriate. It is the goal of this expedited process to require the parties to litigation affected by this rule to mediate all issues possible and thereafter certify to the Court only those issues which require trial. To this end parties shall complete and file a Settlement Conference Report; failure to so do shall result in the cancellation of any pending hearing dates.

(3) In connection with this requirement attorneys shall attach to their pleadings a Settlement Conference Order (See Appendix C) and a Pretrial Conference Order (See Appendix D). Following the required Settlement Conference the attorneys/parties shall complete and file in the record in the case no less than 48 hours prior to the pre-trial conference a Settlement Conference Report.

(4) Any filing including orders requesting temporary restraining orders and ex parte custody and/or visitation, shall also include the customary prayers for relief and shall not request a specific rule return date, but shall contain language to the following effect: "Following the expedited hearing process required by court rule in this case, that a rule issue herein directed to the defendant, _____, directing said defendant to show cause why the relief herein prayed for should not be granted as to any unresolved issues." See Appendix F, Motion for Hearing on Rules, for suggested format.

B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Chief Judge of the 36th Judicial District Court which are consistent with La. R.S. 46:236.5, as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from any domestic relations practice in the 36th Judicial District Court and shall be prohibited from appearing before the 36th Judicial District Court in any contested matter.

C. The Court shall set for hearing on its rule docket any matter that has been the subject of the expedited hearing officer process upon the filing of a motion by either party within three (3) days from the date of the filing of the hearing officer recommendations. In such cases pending hearing by the District Court, the recommendations of the hearing officer shall become interim orders of this Court; failure to comply with the recommendations may result in such contempt proceedings as appropriate. In motion requesting rule date in the District Court, attorneys shall state the specific issues in dispute to be heard by the Court or rule date will not be assigned. If no request for a rule hearing before a Judge is filed within this time an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal.

D. The Chief Judge of the 36th Judicial District Court shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.

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Court**

**Parish of
Beauregard**

Effective January 1,
1997.

APPENDIX C. PRE-TRIAL CONFERENCE ORDER

NO. _____

_____ : 36TH JUDICIAL DISTRICT COURT

VERSUS : PARISH OF BEAUREGARD

_____ : STATE OF LOUISIANA

FILED _____ : _____
DEPUTY CLERK

PRE-TRIAL CONFERENCE ORDER

In addition to and in conjunction with the order(s) signed by the Court herein on even date;

IT IS ORDERED that the parties hereto and/or their respective counsel confer with each other for the purpose of attempting amicable settlement of the ancillary matters pending in this case and that the appropriate conference report and, if applicable, affidavits of income and expenses of the parties in the form(s) provided by the Court in Rule XXV be executed, exchanged and filed in the Court record in this proceeding at least 48 hours before the date set below for the pre-trial conference.

IT IS FURTHER ORDERED that unless support/custody/visitation have been agreed upon, the parties hereto shall appear, with or without their respective counsel, before the Court's hearing officer for support related matters and such collateral issues as may be appropriate, at Conference Room No. 1 of the 36th Judicial District Court in the Beauregard Parish Courthouse in DeRidder, Louisiana, on the _____ day of _____, 19____, at _____ o'clock ____M. At the pre-trial conference the parties shall produce copies of their two (2) most recent U.S. Income Tax Returns as well as the last three (3) payroll stubs from their respective employers. If self-employed, party is ordered to present business and personal bank statements for the past three (3) months along with personal and business income tax returns as ordered above.

IT IS FURTHER ORDERED that the trial on the merits of the divorce in this case will be assigned on motion of either party after issues have been joined, but only after all ancillary matters have been agreed upon or adjudicated and the appropriate pre-trial conference report with hearing officer recommendations in the form provided by the Court has been signed and forwarded to the Court.

DeRidder, Louisiana, this _____ day of _____, 19_____.

DISTRICT JUDGE

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**Family Court
For the Parish of
East Baton Rouge**

To view the current Title IV Rules of East Baton Rouge Family Court, click here

<http://www.lasc.org/rules/dist.ct/EASTBATONROUGEFAMILYCOURTTITLEIV.PDF>

**42nd Judicial District
Court**

USE OF HEARING OFFICERS

Parish of DeSoto

Amended effective
November 10, 2014.

1. Pursuant to R.S. 46:236.5, R.S. 46:2135(I), Title 9, and applicable articles of the Louisiana Civil Code and Louisiana Children's Code, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing a hearing officer, appointed by majority vote of the entire Court, to hear support and support related and other domestic, juvenile, and family matters.
 2. Domestic and family matters shall include divorce and all issues ancillary to a divorce proceeding; all child related issues such as paternity, filiation, custody, visitation, and support in non-material cases; all protective orders filed in accordance with R.S. 46:2131 et seq., R.S. 46:2151 et seq., and the Children's Code and all injunctions filed in accordance with R.S. 9:361, 371, and 372 and Code of Civil Procedure Articles 3601 et seq., which involve personal abuse, terrorizing, stalking, or harassment; and enforcement of orders in any of these matters, including contempt of court.
 3. The entire Court, by majority vote, shall fix the salary of the hearing officer and any such other personnel hired and employed to implement this procedure.
 4. Such hearing officer shall have authority to perform and shall perform any and all duties assigned to the officer by a judge designated by the Court which are consistent with R.S. 46:236.5 as it presently exists or as supplemented or amended in the future. The Court further authorizes the hearing officer to hear and dispose of all matters pertaining to protective orders.
 5. The hearing officer shall act as a finder of fact and shall make recommendations to the Court concerning the above referenced domestic, juvenile, and family matters. The recommendation may be transmitted in open court, in chambers, or by mail.
 6. Any party to the proceedings may file an exception to the findings of fact or law of the hearing officer within 72 hours from the date of the hearing. The 72-hour period referred to herein shall commence running at 5:00 p.m. on the date of the hearing and shall exclude Saturday, Sunday, and other legal holidays.
 7. Should any party file an exception to the findings of the hearing officer, the Court shall schedule a contradictory hearing before a judge for the taking of additional evidence if in the Court's discretion it is determined that additional information is needed. If no exception to the hearing officer's recommendations is timely filed, an Order shall be signed by the judge, which shall be a final judgment and be appealable to the Court of Appeal.
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