

TITLE IV

Chapter 32 - Use of Hearing Officers and Domestic Commissioners for Family Law Proceedings

Rule 32.0 - Power and Authority of Hearing Officers and Domestic Commissioners

Appendix 32.0B - Court-Specific Rules on Hearing Officers and Domestic Commissioners

First Judicial District Court

Parish of Caddo

A. 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.

B. 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.

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

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

(2) 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.

D. 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.

E. Any party to the proceedings may file an exception to the findings of fact or law of the hearing officer within the delays set forth by District Court Rules 33.0, 34.2, and 35.5. The 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.

F. 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.

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

H. 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.

I. 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).

**Second Judicial District
Court**

**Parishes of Bienville,
Claiborne and Jackson**

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

1. Pursuant to LSA-R.S. 46:236.5, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing one or more Hearing Officers, appointed by majority vote of the entire Court, to hear support and support related matters, and to hire and employ any and all such other personnel, agency or agencies deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.

2. Said Hearing Officer(s) shall be prohibited from engaging in the practice of law in the Second Judicial District.

3(a). The District Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the making of a motion of appeal by either party. Such motion shall be in writing and shall be filed with the Clerk of Court within three (3) clear judicial days from the date of the hearing. Upon the filing of the motion, the Court shall schedule a contradictory hearing to be held before the Judge, who shall accept, reject or modify in whole or in part the findings of the Hearing Officer. If the judge in his discretion determines that additional information is needed, he may receive evidence at the hearing or remand the proceeding to the Hearing Officer. If no request for a hearing before a Judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal.

3(b). The Second Judicial District Attorney is authorized to develop the necessary forms for parties wishing to file a written motion requesting such a hearing before the District Judge and to provide those forms to such parties.

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

5. In all Social Security Act Title IV-D (Aid for Dependent Children and Non Aid for Dependent Children) cases presently pending and arising in the future, each support payment, including existing arrearages and future arrearages, as well as ongoing support payments, is hereby increased by five per cent (5%) beginning June 1, 1992. On or after that date, all such obligors or payors shall make any and all such payments for support, including the additional five per cent (5%) amount, payable to the "Child Support Fund." Such payments shall be made only by money order or cashier's check and shall be mailed to the following listed address for the Parish in which the payor's support case is filed.

Bienville Parish address: Child Support Fund 601 Locust, Room 101 Arcadia, Louisiana 71001

Claiborne Parish address: Child Support Fund P.O. Box 66 Homer, Louisiana 71040

Jackson Parish address: Child Support Fund P.O. Box 397 Jonesboro, Louisiana 71251

6. Effective January 1, 1993, the following dates shall be fixed for the hearing of non-support and related matters pursuant to LSA R.S. 46:236.5, including the entry of preliminary defaults relating to such matters:

Jackson Parish -- the first Friday of each month at 9:30 A.M.

Bienville Parish -- the second Friday of each month at 9:30 A.M.

Claiborne Parish -- the third Friday of each month at 9:30 A.M.

Should it become necessary to make a temporary change or adjustment to the foregoing schedule, such change or adjustment shall be made by special order of the Court.

B. DOMESTIC ABUSE PETITIONS AND USE OF HEARING OFFICERS

1. Pursuant to LSA R.S. 46:2135(I), all initial rules to show cause why a protective order should not issue shall be heard by a Hearing Officer, appointed in accordance with the procedures provided in LSA R.S. 46:236.5 and Local Rule 29, and subject to the following procedures.

2. Upon the filing of any petition alleging domestic abuse under Title 46 of the Louisiana Revised Statutes, the Clerk of Court shall refer the petition to the duty judge for the purpose of reviewing the petition and granting or denying a temporary restraining order. Upon the granting of a temporary 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.

3. 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.

4. Should any party request an appeal to the District Court, such appeal must be perfected according to the procedures set forth in this Appendix, 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.

**Third Judicial District
Court**

**Parishes of Lincoln and
Union**

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 ongoing 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.

**Fourth Judicial District
Court**

**Parishes of Morehouse
and Ouachita**

USE OF HEARING OFFICERS

A. Appointment of Hearing Officers

1. Pursuant to LSA-R.S. 46:236.5 and applicable articles of the Louisiana Civil Code and Louisiana

Amended January 7, 2016,
effective January 1, 2016;
Amended April 2, 2019,
effective April 1, 2019.
Amended December 12,
2019, effective December
15, 2019.

Children's Code, and in furtherance of Rules 22 through 34, supra, this Court hereby implements an expedited process for the establishment of paternity and the establishment and enforcement of support obligations, including those brought by the State of Louisiana, Department of Children and Family Services, and all 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 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 (commonly referred to as a 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 Appendix 23.0D Hearing Officer Conference and Information Order 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 Appendix 23.0B Family Law Affidavit, together with all documentation ordered by the Appendix 23.0D Hearing Officer Conference and Information 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 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 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 five (5) days, exclusive of weekends and 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 five (5) 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 dismissed without prejudice (Cf. La. 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 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.

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.

Q. Procedures in Paternity and Support Actions Brought by the State of Louisiana

1. Actions to establish paternity and/or to establish or enforce a support obligation which are brought by the State of Louisiana Department of Children and Family Services (hereinafter referred to as "DCFS") on its own behalf or on behalf of any person for whom support has been ordered and whose support rights have been assigned to DCFS or for whom DCFS is providing support enforcement services shall be conducted in accordance with the procedures in this subsection, namely Section Q.

2. The Hearing Officers shall provide expedited process for the establishment of paternity and/or the

establishment and enforcement of support obligations brought by DCFS in the manner set forth by LSA-R.S. 46:236.5 and shall issue written findings and recommendations concerning same to the Court.

3. Either party may file written objections to the findings and recommendations of the hearing officer, and request a hearing before the judge. Such motion shall be filed within three (3) days from the date of the hearing. The court shall hold a de novo hearing on a matter that has been the subject of an objection.

4. 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.

5. Pursuant to the provisions of LSA-R.S. 46:236.5, in all actions to establish or enforce a support obligation presently pending and arising in the future, each support payment, including existing arrears and future arrears as well as on-going support payments, is hereby increased by five percent (5%) beginning November 1, 1990. On or after April 1, 2000, all such obligors or payors shall make any and all such payments for support, including the additional five percent (5%) amount, payable to DCFS. Such payments shall be made by money order and shall be mailed directly to DCFS, P.O. Box 260222, Baton Rouge, LA 70826-0222. DCFS shall collect and remit the five percent (5%) fee to the court.

6. In any case that has been proven to the satisfaction of the Fourth Judicial District Court to have never been delinquent, the Court has the authority and discretion to waive or reduce the five percent (5%) administrative fee. If the defendant becomes delinquent any time thereafter, the Court will automatically assess the five percent (5%) fee.

7. All support obligors shall be required to sign a Payor Designation Form when the Statutory Court Fee is first assessed, when DCFS begins to enforce an order, and at each court appearance thereafter, choosing to either pay the Statutory Court Fee directly to the Court at a court date each month, or choosing to pay the Statutory Court Fee through DCFS along with their support payments, by making an affirmative designation on said Payor Designation Form. If the payor elects to pay his Statutory Court Fee through DCFS, then DCFS shall promptly collect and remit the Statutory Court Fee to the Fourth Judicial District Court. As the Payor Designation Form is subject to frequent amendment, it is not included in this Appendix but shall be approved by majority vote of the judges as needed.

R. Notice by Clerks to Court of DCFS Filing

1. Upon filing by the Department of Children and Family Service (hereinafter "DCFS") of a "Notice About Redirection of Child Support Payments" (hereinafter "Notice") and a completed Appendix 31.4B Information Form (hereinafter "Information Form") pursuant to La. R.S. 46:236.2 and Rule 31.4 of the Louisiana District Court Rules, filed in any civil or juvenile court record by DCFS, Support Enforcement Services (hereinafter "SES"), or the Fourth District Attorney's Office, purporting to "redirect" or "reinstate" or in any way modify, amend, or suspend court ordered child support or spousal support payments, the following procedure shall apply:

(a) Within five (5) days of the filing of each and every such Notice and Information Form, the Clerks of Court for Ouachita and Morehouse Parishes shall forward to the Court (that is, to the judge presiding over the section to which the matter has been allotted) the Notice and Information Form, along with a blank Appendix 31.4A Order (hereinafter "Order") to be completed and executed by the Court.

(b) Within five (5) days of receipt of a Notice and Information Form, the judge shall complete and file with the Clerk of Court the Order setting the matter for hearing. Said hearing shall be set on a designated date as per the published Hearing Officer Schedule. To allow adequate time for service yet provide an expedited hearing, said hearing shall be set no less than twenty (20) days nor more than forty-five (45) days from the date the judge signs the Order. The Order shall be served upon all parties, or if any party is represented by counsel upon counsel of record, at the addresses reflected in the court record herein and upon DCFS. The assessment of the cost of service shall be deferred, to be determined by the Court in future proceedings. A copy of the Notice, Information Form, and Order shall be provided contemporaneously by the judge to the Hearing Officer assigned to preside on the scheduled hearing date.

2. Upon the filing of any other administrative notice or affidavit or any other non-support matters by DCFS, including but not limited to notices or affidavits filed pursuant to La. R.S. 9:311.1, filed in any civil or juvenile court record by DCFS, SES, or the Fourth District Attorney's Office, purporting to in any way modify, amend, or suspend court ordered child support or spousal support payments, the following procedure shall apply:

(a) The Clerks of Court for Ouachita and Morehouse Parishes shall provide Notice to the Court (that is, to the judge presiding over the section to which the matter has been allotted) within five (5) days of filing of each and every such notice or affidavit, using the form reproduced below entitled "Rule R Notice to the Court."

(b) Within five (5) days of receipt of a Rule R Notice to the Court, the judge shall complete and file with the Clerk of Court the Order To Appear setting the matter for hearing. Said hearing shall be set on a designated date as per the published Hearing Officer Schedule. To allow adequate time for service yet provide an expedited hearing, said hearing shall be set no less than twenty (20) days nor more than forty-five (45) days from the date the judge signs the Order. The Order To Appear shall be served upon all parties, or if any party is represented by counsel upon counsel of record, at the addresses reflected in the court record herein and upon DCFS. A copy of the Rule R Notice and Order shall be provided contemporaneously by the judge to the Hearing Officer assigned to preside on the scheduled hearing date.

FOURTH JUDICIAL DISTRICT COURT * PARISH OF _____ * STATE OF LOUISIANA

_____ DOCKET NO: _____

VS. NO. _____ LASES NO: _____

RULE R NOTICE TO THE COURT

In compliance with the Rules of the Fourth Judicial District Court, as promulgated specifically in Title IV of the Rules for Louisiana District Courts, Appendix 32.0B, Rule R, please find attached a copy of the Notice which was filed by DCFS in the above-captioned case:

Deputy Clerk of Court Date

ORDER TO APPEAR

THE STATE OF LOUISIANA having issued a "notice" which attempts to take or enforce any administrative action involving the parties to a matter pending before this court, without first bringing the matter before the judiciary;

AND THIS COURT desiring to afford the proper application of the law herein, including but not limited to access to the courts and procedural and substantive due process as guaranteed by the Louisiana Constitution of 1974;

A. IT IS HEREBY ORDERED AS FOLLOWS:

THE PARTIES, _____ and _____, together with the State of Louisiana/DCFS shall appear in open court on the ____ day of _____, 20__, in Courtroom # ____ of the _____ Parish Courthouse at _____ a.m/p.m., at which time:

1. DCFS shall show cause, if any, why the existing court order(s) should be modified, amended or supplemented in the manner proposed by the attempted administrative action;
2. DCFS shall show cause, if any, why _____;
3. Payor, _____, shall receive actual notice in open court of the State's claims in order to ensure his/her due process rights are protected and shall show cause, if any exists, why he/she should not be ordered to pay DCFS, and he/she may raise any defenses at this time, including payment, prescription, forgiveness, judicial modification or extrajudicial modification;
4. The statutory court fee pursuant to LSA-R.S. 46:236.5 shall be assessed pursuant to court rules.

OR

B. The Court noting, pursuant to the attached pleadings, that a hearing has been set and is presently scheduled in this matter:

IT IS HEREBY ORDERED that no further Rule "R" proceeding is necessary at this time, that the attached order setting hearing is maintained, and that the parties shall appear per that order.

THUS DONE AND SIGNED THIS ____ of _____, 20__ in _____, Louisiana.

DISTRICT JUDGE

CLERK: Please serve: DCFS/SES, 951 Century Blvd., Monroe, LA 71202 and all parties or if any party is represented by counsel, upon counsel of record at the addresses reflected in the court record herein.

**Fifth Judicial District
Court**

**Parishes of Franklin,
Richland and West
Carroll**

Amended May 4, 2017,
effective July 1, 2017.

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.

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 parties and their attorneys shall make a good faith effort to discuss and attempt a settlement of the case, narrow the issues, and enter into joint stipulations regarding uncontested matters. If the parties cannot agree on a settlement, then the Hearing Officer will issue a recommendation to the Court. The Hearing Officer Recommendation will include a summary of the disputed and undisputed facts and specific recommendations for disposition of the claims raised by each party. A copy of the Hearing Officer Recommendation will be provided to the parties, who will then have seven (7) days, inclusive of holidays and weekends, to file written objections with the Court. 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 to which objections are directed at trial.

The following documentation must be provided to the Hearing Officer no later than three (3) days before the Hearing Officer Conference:

If child support is an issue in the case, each party must provide a verified income statement reflecting his or her gross income and adjusted gross income, along with the following documents:

- (a) A copy of federal tax returns for the past two years;
- (b) A copy of the last four (4) pay check stubs or payroll advice statement from all employers;
- (c) If unemployed, proof of unemployment benefits;
- (d) If disabled, proof of disability and benefits such as social security, worker's compensation benefits, etc.;
- (e) Health insurance information, including a breakdown of the cost of premiums for medical insurance for yourself, your spouse and your children;
- (f) Expenses incurred for daycare and/or private school if applicable, including tuition, registration fees, etc. for each child.

Any additional information to be considered by the Court in setting child support, such as pre-existing support orders or evidence of financial support for other children, should also be provided in advance of the conference.

If spousal support is an issue in this case, each party must provide an itemized list of income and expenses, reflecting gross monthly income, each payroll deduction, and recurring monthly expenses, such as house note, car note, utilities, etc.

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.
- 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.

L. Hearing Officer Conference Fee.

Upon the scheduling of a Hearing Officer Conference, each party shall be assessed a fee of \$50.00, payable to the Fifth Judicial District Court no later than three (3) days before the Hearing Officer Conference. Failure to pay the fee shall preclude the non-paying party from participating in the Hearing Officer Conference.

**Sixth Judicial District
Court**

**Parishes of East Carroll,
Madison and Tensas**

USE OF HEARING OFFICERS

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-D CASES

A. 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, a fee of five percent (5%) is assessed. All payors shall make any and all payments for

support, including the five percent (5%) amount, to the "6th JDC SE Fund". Such payments shall be made only by money order or certified check and shall be either delivered directly to the Court Administrator's Office at the Courthouse in Tallulah, Louisiana or mailed to "6th JDC SE Fund", Post Office Box 1271, Tallulah, Louisiana 71284-1271.

B. In all Title IV-D non-AFDC (Social Security Act) cases, the Court hereby assesses a fee of five percent (5%) on all support obligations made executory on or after January 1, 1991, as a result of a hearing on a rule to enforce support. Such fee, together with any amount ordered to be paid toward arrearages, shall be paid only by a money order or certified check made payable to the "6th JDC-SE Fund," and shall be either hand delivered to the Court Administrator at the Madison Parish Courthouse, Tallulah, Louisiana, or mailed to "6th JDC-SE Fund", Post Office Box 1271, Tallulah, Louisiana 71284-1271.

**Seventh Judicial District
Court**

**Parishes of Catahoula
and Concordia**

**Eighth Judicial District
Court**

Parish of Winn

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.

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 ongoing 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 260222, Baton Rouge, Louisiana 70826.

F. In all pleadings for child support, increases or decreases thereof, each party shall file a verified income statement as required by statute showing gross income and adjusted gross income, together with documentation of current and past earnings. The documentation shall include a copy of each party's most recent federal tax return. The verified income statements should be filed at least five (5) days prior to the time of the rule or trial. A copy of the statement and documentation shall be provided to the other party.

G. Each party to hearings for child support should prepare the work sheet required by statute and

should provide the adverse party or counsel with a copy thereof. Each party should be prepared to exchange work sheets prior to the case being called for hearing.

**Ninth Judicial District
Court**

Parish of Rapides

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. 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.

2. Recommendations for Judgment submitted by Hearing Officer(s) shall be signed by the Order-signing Judge.

3. 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.

4. 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.

5. 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 the delays set forth by District Court Rule 35.5 as it applies to Child Support matters under LSA–RS 46:236.5 and within the delays set forth by District Court Rule 34.2 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.

D. In all Title IV–D (Social Security Act) cases presently pending and arising in the future, and in all other cases brought by the Department of Health & Human Resources on its own behalf or on behalf of any person for whom support has been ordered and whose support rights have been assigned to the Department or for whom the Department is providing support services, each support payment, including existing arrearages and future arrearages as well as ongoing support payments, is hereby increased by five percent (5%) beginning January 1, 1997. On or after that date, all such obligors or payors shall make any and all such payments for support, including the additional five percent (5%) amount, payable to the “D.S.S.”. Such payments shall be made only by money order or certified check and shall either be delivered directly to D.S.S., Post Office Box 260222, Baton Rouge, Louisiana 70826–0222. Unless objection is made at the time the order is made payable to D.S.S., or by motion filed within three (3) days as specified above, such obligors or payors shall be deemed to have consented to allow the Department of Social Services to collect and distribute the additional five percent (5%) amount specified herein, to the Ninth Judicial District Court.

E. In all uncontested proceedings to establish paternity brought before the Court's Hearing Officer(s), or before the Court directly, proof may be submitted by affidavit pursuant to LSA- R.S. 9:572.

F. In all rules for child support the parties shall complete the worksheet set forth in R.S. 9:315.15. This worksheet shall be signed by both parties and their attorneys and shall be filed in the record by noon on the Wednesday preceding the hearing on Monday. Each party shall attach to the worksheet the verified income statement and documentation required by R.S. 9:315.2A.

G. Any party failing to abide by these rules shall be subject to sanctions by the Court.

**Tenth Judicial District
Court**

USE OF HEARING OFFICERS

Parish of Natchitoches

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 the delays set forth by District Court Rules 34.2 and 35.5, and the delays will commence 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-D CASES

A. In all Title IV-D (Social Security Act) cases presently pending and arising in the future, and in all other cases brought by the Department of Health & Human Resources on its own behalf or on behalf of any person for whom support has been ordered and whose support rights have been assigned to the Department or for whom the Department is providing support services, each support payment, including existing arrearages and future arrearages as well as ongoing support payments, is hereby increased by five percent (5%) beginning September 1, 2011. On or after that date, all such obligors or payors shall make any and all such payments for support, including the additional five percent (5%) amount, payable to the Department of Children and Family Services (D.C.F.S.) or its successor. Such payments shall be made only by money order or certified check and shall be mailed directly to D.C.F.S., Post Office Box 260222, Baton Rouge, Louisiana 70826-2222. Unless objection is made at the time the order is made payable to D.C.F.S., or by motion filed within three (3) days as specified above, such obligors or payors shall be deemed to have consented to allow the Department of Children and Family Services to collect and distribute the additional five percent (5%) amount specified herein, to the Tenth Judicial District Court.

B. In all uncontested proceedings to establish paternity brought before the Court's Hearing Officer(s), or before the Court directly, proof may be submitted by affidavit pursuant to LA-R.S. 9:572.

**Eleventh Judicial District
Court**

Parish of Sabine

**Twelfth Judicial District
Court**

Parish of Avoyelles

**Thirteenth Judicial
District Court
Parish of Evangeline**

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.

D. General Information

1. 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.

2. 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.

3. 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.

E. Intake Conferences

1. 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.

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

3. 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.

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

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

F. Child Support and Spousal Support

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

1. Initial settings of child support and spousal support;
2. Modifications;
3. 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 may object to the hearing officer recommendation within the delays set forth by District Court Rules 33.0, 34.2, and 35.5. These delays commence from the date of the hearing.

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.

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.

G. Custody and Visitation

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

**Fourteenth Judicial
District Court**

RULES

Parish of Calcasieu

A. All rules to show cause shall be set for a Hearing Officer Conference before the Hearing Officer utilizing the Appendix 23.0D Hearing Officer Conference and Information Order with the following exceptions:

- (1) Protective Orders;
- (2) Ex Parte requests for custody;
- (3) Rules to terminate the community;
- (4) Rules for divorce;
- (5) Exceptions;
- (6) Discovery motions;
- (7) Rules to show cause why a Sworn Detailed Descriptive List should not be deemed a Judicial Determination of Community Assets and Liabilities;
- (8) Mental Health Assistance;
- (9) Substance Abuse Testing; and
- (10) Any other rules and/or motions deemed appropriate by the Court.

All Hearing Officer Conferences shall take place in the manner set forth in the rules below.

B. All rules to show cause shall also be assigned a rule date before the Judge, in addition to a Hearing Officer Conference. If the matter is contested on the rule date, all parties shall be present and a pretrial conference shall be held. The Court, in its discretion, may conduct a hearing on any pending issues that could be heard within one hour. If no agreement is reached, a Pretrial and Trial Order shall be issued and the matter will be fixed for trial on the Court's trial docket. The Court may issue any additional orders as it deems necessary. The Court, in its discretion, may fix the matter to another rule date if it deems appropriate.

C. All rules seeking arrearages of spousal support and/or child support or contempt rules for failure to pay spousal support and/or child support shall be accompanied by an arrearage worksheet similar to the one provided in Section V of the Appendix 23.0B Family Law Affidavit.

HEARING OFFICER—GENERAL RULES

A. Pursuant to La. R.S. 46:236.5, applicable articles of the Civil Code, the Code of Civil Procedure, the Children's Code, and the Revised Statutes, and in furtherance of Title IV of the Louisiana District Court Rules, the Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations and all other family proceedings as defined by La. R.S. 46:236.5 by authorizing and directing the Family and Juvenile Court Judges of the 14th Judicial District Court to nominate one or more Hearing Officers to hear these matters, with the approval of a majority of Judges of the 14th Judicial District Court, 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 Hearing Officers shall have authority to perform and shall perform any and all duties assigned to them by the Judges of the Family and Juvenile Court which are authorized by law as it presently exists, or as it may be, from time to time, supplemented or amended in the future. The Hearing Officers shall be prohibited from appearing or practicing before the 14th Judicial District Court. The entire Court by majority vote shall fix the salaries of the Hearing Officers.

C. Upon the filing of pleadings, the parties shall be required to attend a Hearing Officer Conference

with the Hearing Officer. An Appendix 23.0D Hearing Officer Conference and Information Order shall accompany all pleadings filed. Each party shall provide documentation to the Hearing Officer and the other party in accordance with the Hearing Officer Conference Order.

D. All parties shall be present at the Hearing Officer Conference. Failure to appear after being properly notified may result in the dismissal of the case, temporary orders being issued based on evidence presented, limitations on the presentation of evidence or witnesses, sanctions provide by law, or any other appropriate relief. No party shall be allowed to participate by telephone unless extraordinary circumstances exist and the request is approved in advance by the Hearing Officer. The person making the request shall notify the opposing party in writing and inform the Hearing Officer if the request is opposed.

E. Parties may testify to the extent deemed appropriate by the Hearing Officer. 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 issues before the Court.

F. If the parties are able to resolve any of the issues during the Hearing Officer Conference, the Hearing Officer shall prepare a written stipulation regarding the resolved issues for the review and execution by the parties and their attorney, if represented, together with an appropriate judgment or order incorporating and implementing the agreement of the parties. The stipulation shall contain an acknowledgement that no objection or appeal may be filed.

G. If the parties are not able to resolve all of the issues during the Hearing Officer Conference, the Hearing Officer shall issue a written Hearing Officer Conference Report with recommendations on all unresolved issues in compliance with La. R.S. 46:236.5(C)(5), at or within a reasonable time following the Hearing Officer Conference.

H. A party may file an objection to the Hearing Officer’s recommendations with the Clerk of Court within ten (10) days from the date of transmittal of the recommendation utilizing the following form:

VS. No. _____ : 14th JUDICIAL DISTRICT COURT

: PARISH OF CALCASIEU

: STATE OF LOUISIANA
FILED: _____ : _____
DEPUTY CLERK OF COURT

OBJECTION OF HEARING OFFICER’S RECOMMENDATIONS

Considering a Hearing Officer Conference was held on the ____ day of _____, 20____, and a Hearing Officer Conference Report containing recommendations was issued by the Hearing Officer on the ____ day of _____, 20____, and not more than ten (10) days have elapsed since the date of transmittal of the Hearing Officer Conference Report, the mover objects to the following Hearing Officer’s recommendations and requests a hearing before the assigned Judge:

____ CHILD CUSTODY AND VISITATION RECOMMENDATIONS;

Mover objects to the “Child Custody and Visitation Recommendations” contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____
2. _____
3. _____

____ CHILD SUPPORT RECOMMENDATIONS;

Mover objects to the “Child Support Recommendations” contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____
2. _____
3. _____

____ SPOUSAL SUPPORT RECOMMENDATIONS;

Mover objects to the “Spousal Support Recommendations” contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____

2. _____

3. _____

____ OTHER RECOMMENDATIONS;

Mover objects to the "Other Recommendations" contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____

2. _____

3. _____

____ COMMUNITY PROPERTY PARTITION RECOMMENDATIONS;

Mover objects to the "Community Property Partition Recommendations" contained in the Hearing Officer Conference Report, for the following specific reasons:

1. _____

2. _____

3. _____

Lake Charles, Louisiana this _____ day of _____, 20____.

SIGNATURE

PRINTED FULL NAME

BAR ROLL NUMBER IF ATTORNEY

STREET ADDRESS

CITY/STATE/ZIP

TELEPHONE NUMBER

ORDER

Considering the foregoing motion,

IT IS HEREBY ORDERED that the all Hearing Officer's recommendations that are not objected to shall be made an order of the Court;

IT IS FURTHER ORDERED that the Hearing Officer's recommendations that are objected to shall constitute an interim order with which all parties shall comply pending final disposition by the Court, but the interim orders shall not prejudice or affect the retroactivity of the claims of either party; and

IT IS FURTHER ORDERED that this matter be fixed for hearing before the Court on the _____ day of _____, 20____ at _____ .m.

Signed in Chambers at Lake Charles, Louisiana, this _____ day of _____, 20____.

JUDGE, 14th JUDICIAL DISTRICT COURT

FAILURE TO COMPLY WITH THE INTERIM ORDERS IN ANY WAY MAY CONSTITUTE CONTEMPT OF COURT.

Certificate of Service

I, the below signed individual, hereby certifies that a courtesy copy of this document was provided to _____, opposing counsel/party by facsimile transmission, electronic transmission, or hand deliver to _____ (facsimile number, email address, physical location) on the ____ day of _____, 20____, and prior to delivery to this Honorable Court.

SIGNATURE

PLEASE SERVE:

A copy of this form shall be submitted contemporaneously with the Hearing Officer and the assigned Judge. If a written objection to the Hearing Officer's recommendations is timely filed, it shall not be withdrawn or dismissed unless a consent judgment as to all objected matters is filed into the record before the rule date.

I. If a written objection is filed by any party, the recommendations objected to are set for a de novo hearing before the assigned Judge. The Hearing Officer's recommendations shall become an interim order pending the final disposition by the Court, except recommendations regarding:

1. Contempt;
2. Change in legal custody;
3. Relocation;
4. Paternity determination; and
5. Partition of community property.

The interim order shall be without prejudice and shall not affect the retroactivity of the claims of either party.

J. If a written objection to the Hearing Officer's recommendations is not timely filed, the Hearing Officer's recommendations shall become a final judgment of the Court and shall be presented to the Court for signature. A certification of no objection to the Hearing Officer's recommendations must be noted on the final order.

K. If a party does not provide the required Family Court Affidavit, documents and/or financial information as ordered by the Court necessary for the Hearing Officer to make recommendations, then the Hearing Officer may recommend any of the following:

1. That the party failing to produce the Family Court Affidavit, documents and/or financial information be found in contempt of court with sanctions to be imposed;
2. That the matter be dismissed without prejudice;
3. That good cause exists to modify the retroactivity of the award; and/or
4. That temporary orders be issued based upon the limited information provided. The temporary orders shall be without prejudice and shall not affect the retroactivity of the claims of either party.

L. An individual not served personally with the notice of hearing and who failed to make an appearance must be served with the Hearing Officer Conference Report as per La. C. Civ. Proc. Art. 1913. Otherwise, the Hearing Officer Conference Report may be transmitted to the parties in open court, in chambers, or by mail. If transmitted by mail, the notice shall be mailed to the location where service was made if unrepresented by counsel and the date of transmittal shall be the date of mailing, as reflected on the notice filed in the record.

M. If all issues are settled prior to a scheduled Hearing Officer Conference, the attorneys or parties, if unrepresented, shall notify the Hearing Officer and the assigned Judge in writing to remove the matter from the Hearing Officer and Judge's calendar.

N. A request to continue a Hearing Officer Conference may be granted for good grounds. All requests for continuance shall be in writing utilizing the forms in Appendices 24.8B or 24.8C, whichever is applicable. A motion for a continuance shall not be granted unless the motion is uncontested or unless, on the face of the motion, the case should be peremptorily continued under the provisions of La. C. Civ. P. 1602 and Rule 3(A) and (B) of these court rules.

Child Custody and Visitation

(1) The Hearing Officers shall perform Hearing Officer Conferences on proceedings concerning child custody and visitation, contempt of court, attorney's fees and such other matters as may be authorized by law or as directed by the Judges.

(2) All pleadings filed regarding child custody or visitation shall be accompanied by an Appendix 23.0B Family Law Affidavit. Any documents relied upon by the Hearing Officer in making a recommendation, which is appealed, shall be filed into the record unless waived by the parties.

(3) At the Hearing Officer conference, the Hearing Officer shall determine the issues of the case, hear evidence, attempt resolution of all issues, and make recommendations on all unresolved issues. Pending a final determination by the Court on any custody and/or visitation issue, the child(ren)'s previously established living situation should not be radically altered or changed without prior Court approval.

(4) In the event the Hearing Officer determines that the matter is appropriate for mediation, the Hearing Officer shall issue a Mediation Order in accordance with the 14th JDC rules in Appendix 29.4. If the parties are unable to resolve all issues at mediation, the parties shall return to the Hearing Officer for recommendations.

Non-Support

(1) Pursuant to La. R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court implements an expedited process for the establishment, modification and enforcement of support obligations by appointment of one or more Hearing Officers to hear support and support-related matters. The Hearing Officer shall act as a finder of fact and shall make recommendations to the Court. At the conclusion of the hearing, the Hearing Officer shall render a written recommendation to the Court.

(2) Pursuant to the authority of La. R.S. 46:236.5, in all Title IV-D Social Security Act 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.

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

(4) Louisiana Department of Children and Family Services, Support Enforcement Services (SES), shall docket all non-support cases, both civil and criminal, pertaining to the establishment, collection and enforcement of support orders. Such cases shall be heard by the Hearing Officers appointed by the 14th Judicial District Court to preside over non-support hearings. The legal representatives of Support Enforcement Services shall represent the interest of the State at the hearings. The State 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 the Court's approval.

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

The Court or Hearing Officer 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 or Hearing Officer 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.

(6) All court proceedings shall be initiated by pleadings setting forth 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 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 or Hearing Officer 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.

(7) 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 two most recent federal tax returns, four recent pay check stubs or most recent pay check stub with a year-to-date gross earnings, proof of the cost for medical insurance premiums to insure the child or children only, and proof of child care expense, or certification/evidence of state or federal benefits.

(8) When the person owing the support (designated as “Respondent”) resides within the jurisdiction of the Fourteenth 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 dependents, the Court may order him to pay an additional amount as costs not to exceed 5% of the support order.

(9) Any objection to the Hearing Officer’s recommendations shall be made by utilizing the Objection of hearing Officer’s Recommendations form, above, and shall be filed with the Clerk of Court within ten (10) days from the date of transmittal of the recommendation. The recommendation may be transmitted in open court, in chambers, or by mail. If transmitted by mail, notice shall be mailed to the location where service was made and the date of transmittal is date of mailing, as reflected on the notice filed in the record.

Upon filing a written objection to the Hearing Officer’s recommendation, a hearing shall be set before the assigned Judge. If no objection to the Hearing Officer’s recommendation is timely filed, the Hearing Officer’s recommendations shall be a final judgment of the Court.

(10) Payment and collection of support shall be in accordance with La. R. S. 46:236.5 et. seq.

(11) Both parties in a court-ordered support matter shall notify the Regional Support Enforcement Services Office in writing of any change of address, place of employment or change income.

Community Property Partition

(1) All partition actions shall be commenced by petition, supplemental petition or reconventional demand and shall include a description of the claims the party seeks to have decided by the Court, and shall comply in all other respects with La. R.S. 9:2801. The sworn detailed descriptive lists filed by the parties shall be in conformity with the form provided in Appendix 30.0A. All partitions shall be filed in the same suit number of the divorce between the parties.

(2) Upon placement of the matter on the trial docket, the parties shall have a Hearing Officer Conference before the Hearing Officer no less than thirty (30) days prior to trial.

(3) At least fifteen (15) days prior to the Hearing Officer Conference, each party through counsel shall confer with the other to prepare an Appendix 30.0C Joint Detailed Descriptive List, or a format agreed upon by both parties. That combined list shall contain the following information:

- (a) A list of all assets, liabilities, and reimbursement claims asserted by either party in their respective detailed descriptive lists;
- (b) A notation of all agreements between the parties as to the nature of the asset or liability and/or the value or balance due of each;
- (c) A notation of all agreements between the parties as to the validity and amounts of reimbursement claims;
- (d) A brief statement beside each asset, liability, and/or reimbursement claim about which there is a disagreement. The statement should indicate whether the dispute is factual, legal, or both and include a citation to any statute or case law upon which either party relies, if any; and
- (e) A list of witnesses to be called and exhibits to be introduced. Any objections to witnesses or exhibits should be noted on the combined list with a short explanation of the nature of the objection. Any witness or exhibit not set forth on the combined list will, at the discretion of the Court, be excluded from trial.

The original Appendix 30.0C Joint Detailed Descriptive List shall be presented to the Hearing Officer five (5) days prior to the Hearing Officer Conference. Should either party seek appointment of an expert or, upon review of the unresolved issues it becomes apparent that an expert may be necessary to aid and assist the Court at trial, a designation of the expert shall be made by the Hearing Officer at the Hearing Officer Conference.

(4) At the Hearing Officer Conference, the Hearing Officer shall determine the issues of the case, hear evidence and review documentary evidence that pertains to the issues, attempt resolution of all issues, and make recommendations on any unresolved issues.

(5) In the event the Hearing Officer determines that the matter is appropriate for mediation, the Hearing Officer shall issue a Mediation Order in accordance with the rules in Appendix 29.4. If the parties are unable to resolve all issues at mediation, the parties shall return to the Hearing Officer for recommendations.

(6) The Hearing Officer shall have the right to appoint any experts needed to perform valuations of any property in the community or between co-owners and shall apportion the cost of the experts between the parties. The Hearing Officer may order the parties to return for a Hearing Officer Conference upon the receipt of the expert's report to attempt resolution of all issues and make recommendations on any unresolved issues.

(7) The Hearing Officer shall have the power to appoint a Special Master in those cases involving extraordinary, unique, or extremely complex issues of fact and/or law. The costs shall be divided between the parties unless frivolous trial motions are made. The Special Master shall act as the Court's (1) advisor on facts, (2) expert on the law, and (3) organizer of any evidence or experts. The Special Master may take testimony and evidence, if necessary, to complete the report to the Judge. The testimony shall be taken in the same manner as a deposition and evidence/documents may be requested by letter. The Special Master is not to conduct a full trial, but is to advise the Court through written memorandum of the facts the experts have found and submit expert legal opinions on the specific issues needed to be addressed, including how the partition should be decided. The Special Master shall complete his investigation within ninety (90) days. In a written memorandum, the Special Master may request additional time, which may be granted upon good cause shown. A copy of the memorandum shall be provided to the parties by certified mail and they shall report to the Court within ten (10) days of the receipt of the memorandum, if its content is accepted in its entirety or specifically list those items still in dispute, or items to which the party will stipulate. The Court may then indicate whether or not it will follow the memorandum. Either party shall retain the right to a full trial on the merits, should they disagree with the memorandum; however, the Court retains the right to cast one party for all of the Special Master's costs and fees, if that party makes a frivolous motion for a full trial on the merits. La. C. Civ. Proc. Arts. 863 and 864 and the Disciplinary Code shall be used to determine if the motion for trial is frivolous.

(8) If the parties are unable to resolve the community property partition at the Hearing Officer Conference, the Hearing Officer shall issue a written Hearing Officer Conference Report with recommendations on all unresolved at or within a reasonable time following the Hearing Officer Conference.

(9) Parties are instructed to continue to attempt issue resolution up to and including the date of trial. Should there be any changes on the Combined Detail Descriptive List submitted to the Hearing Officer at the Hearing Officer Conference, the changes shall be made to the Combined Detailed Descriptive List and the updated list shall be submitted to the office of the assigned Judge no later than five (5) working days prior to the pretrial conference.

(10) The Court may, on motion of either party, or on its own motion, require a separate hearing on contested issues of law or fact or on the issues of the separate or community nature of assets or obligations and/or the valuation of assets, liabilities or reimbursements, prior to a trial on the merits. Decisions on questions of law or fact shall be considered preliminary findings in nature for appeal purposes. No appeal may be taken until the final judgment covering all the community property issues is signed pursuant to La. R.S. 9:2801 et seq. See La. C. Civ. Proc. art. 1915.

(11) It shall be the responsibility of any party, who is an employee participant in a benefit plan in which the community possesses an interest, to obtain all available forms and other necessary information from the plan administrator which shall be submitted to the Hearing Officer and/or Court, as well as, opposing counsel, or the opposing party if unrepresented, so that a Qualified Domestic Relations Order (QDRO) can be prepared as directed by the Hearing Officer and/or Court.

(12) Except for good cause shown, any copies of items (as opposed to originals) produced in response to pretrial discovery, which are otherwise admissible into evidence at the trial of the matter, shall be admissible at trial unless an objection is made thereto at the Hearing Officer Conference, and placed in the Combined Detail Descriptive List delineating each item objected to and the legal basis for the objection.

**Fifteenth Judicial District
Court**

**Parishes of Acadia,
Lafayette and Vermilion**

Amended October 30,
2015, effective October 1,
2015.

A. Hearing Officers – General

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 hiring and employing Hearing Officers. 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 this 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, including but not limited to, matters for the establishment of paternity and the establishment and enforcement of support and other domestic and family matters. 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-marital cases; all protective orders filed in accordance with R.S. 46:2131 et seq., R.S. 46:2151 et seq., 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.

B. Matters To Be Heard by Hearing Officers

1. 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.

2. In all matters coming before a Hearing Officer, each party shall prepare and submit the appropriate mandatory sections of the Appendix 23.0B Family Law Affidavit within the time delays set forth therein. 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.

C. Hearing Officer Conference

1. After filing initial pleadings, 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. 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.

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.

D. 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. Further, the parties shall complete and file into the record of the proceeding the applicable portions of the Appendix 23.0B Family Law Affidavit for child support and spousal support, including the Income and Expense Sheet in Part VIII.

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 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 within the delays set forth in District Court Rules 33.0, 34.2, and 35.5.

4. 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.

5. If a written objection to the Hearing Officer's 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.

6. 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.

7. 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 by the Hearing Officer assigned to the case with the District Judge to whom the case is allotted.

8. 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.

9. 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, 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.

**Sixteenth Judicial
District Court**

USE OF HEARING OFFICERS

**Parishes of Iberia, St.
Martin and St. Mary**

A. There shall be such number of Hearing Officers for Family Docket cases as authorized by a majority of the District Judges.

B. 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.

Comment:

Former Sixteenth Judicial District Court Rule 5A.3

C. Unless otherwise ordered by a Judge of this Court, the Hearing Officer shall perform Hearing Officer Conferences on all matters filed on the Family Docket. Any request to have the matter heard by the Court, without a Hearing Officer Conference in advance of the court hearing, shall be presented to the Hearing Officer, who shall then present the request to the presiding Judge with an appropriate recommendation regarding whether a Hearing Officer Conference should take place or may be by-passed.

Comment:

Former Sixteenth Judicial District Court Rule 5A.3.

HEARING OFFICER CONFERENCE

A. After filing initial pleadings on the Family Docket, all parties will be required to attend a Hearing Officer Conference with a Hearing Officer and to provide documentation to the Hearing Officer and the other party in accordance with any order(s) issued by a Hearing Officer. The office of the Hearing Officer shall issue or cause to be issued (1) an original Appendix 23.0D Hearing Officer Conference and Information Order, and provide same to the appropriate individual in the office of the Clerk of Court to prepare certified copies for service on the parties, and (2) duplicate copies of an Appendix 23.0B Family Law Affidavit, and provide them to the Clerk of Court for service on the parties.

B. The initial Hearing Officer Conference will, to the extent feasible, be scheduled within twenty one (21) 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 Appendix 23.0B Family Law Affidavit together with all documentation ordered by the Appendix 23.0D Hearing Officer Conference and Information Order and the Appendix 23.0B Family Law Affidavit not less than five (5) days, exclusive of weekends and legal holidays prior to the Hearing Officer Conference. It is within the discretion of the Hearing Officer to permit a party to submit the Appendix 23.0B Family Law Affidavit and its attachments later than five (5) days prior to the Hearing Officer Conference.

C. If there are complicated or extraordinary issues which will require a Hearing Officer Conference which is longer than what is usually and customarily scheduled by the Hearing Officer in each parish, 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.

D. 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, taking into consideration the recommendation of the Hearing Officer.

E. At the Hearing Officer Conference, the Hearing Officer will make findings of fact and

recommendations regarding the issues that are before the Court.

F. At the Hearing Officer Conference, the Hearing Officer will also prepare a written Hearing Officer Conference Report which includes a summary of the facts and circumstances underlying the issues before the Court, and provides specific recommendations to the Court regarding the manner in which those issues should be decided, 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.

G. Objections to Hearing Officer Conference Report

See 16th JDC entry in Appendix 35.5 See 16th JDC entry in Appendix 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).

H. Adoption of Hearing Officer Recommendations

See 16th JDC entry in Appendix 35.5 (“Court-Specific Rules Concerning Objections to Hearing Officer Recommendations and Judgments of Domestic Commissioner”).

I. 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 implementing the agreement of the parties. Any such agreement shall contain an acknowledgement 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 facts and a list of recommendations on those issues on which there is no agreement.

J. In the event the parties settle all issues prior to the scheduled Hearing Officer Conference, they shall prepare the appropriate settlement documents and provide an executed copy of same to the Hearing Officer prior to the scheduled Conference in order to cancel the scheduled Conference as well as the Court date, and shall be further obligated to advise the offices of the presiding Judge and the clerk of court when the settlement has been finalized and executed.

K. If one party does not provide the necessary information for the Hearing Officer to make a determination as to the issues before the Court, then the Hearing Officer will have the discretion to render a Hearing Officer Conference Report based on the information provided by the other party, or such other relief as is appropriate under the circumstances, including continuing the Hearing Officer Conference and the scheduled Court date, if the failure to provide documentation is attributable to the party seeking relief from the Court. This interim recommendation shall be without prejudice and shall not affect the retroactivity of the claims of either side.

Comment:

Hearing Officer Conference Rule, former Sixteenth Judicial District Court Rule 5A.4.

CUSTODY AND VISITATION

A. If the parties have agreed to custody and/or visitation at the Hearing Officer Conference, the parties will sign a stipulation to that effect and a consent judgment incorporating same.

B. If the parties do not agree to custody and/or visitation, the Hearing Officer will render a Hearing Officer Conference Report, summarizing the facts presented at the Conference, and making appropriate recommendations for a resolution of the issues, including, but not limited to, mediation, psychological evaluation(s), and/or a recommendation on the merits to be determined by the Court.

C. If mediation or psychological evaluations are recommended by the Hearing Officer in the Hearing Officer Conference Report, the Hearing Officer will include, as part of the recommendation (s), the terms and conditions upon which the parties should pay for the mediation or psychological evaluations and prepare an order to that effect. The Hearing Officer shall attach a copy of the proposed order to the Hearing Officer Conference Report, and shall provide the original of same to the presiding Judge for review and approval. If to the terms and/or conditions for payment recommended by the Hearing Officer for the mediation or psychological evaluation, that party shall file a written objection with the clerk of court as provided elsewhere in these rules.

D. If no written objection to the Hearing Officer Conference Report is filed as provided elsewhere in these rules, the Court may, after the passage of all delays within which to file an objection, adopt the recommendations of the Hearing Officer and execute the proposed order which was provided to the presiding Judge by the Hearing Officer.

Comment:

Custody/Visitation, 3 paragraphs, former Sixteenth Judicial District Court Rule 5A.5.

MEDIATION

• See 16th JDC entry in Appendix 29.4 (“Court-Specific Rules Concerning Mediation”),

CUSTODY EVALUATIONS

See 16th JDC entry in Appendix 24.13 (“Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings”).

PARTITION OF COMMUNITY PROPERTY

A. At or about twenty one (21) days prior to any partition trial on the merits, counsel and the parties shall attend a Hearing Officer Conference to discuss the nature and basis of their claims and defenses.

B. The Hearing Officer(s) shall be responsible for the scheduling of the Hearing Officer Conference, 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.

C. 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. In the event the parties are unable to resolve all the issues regarding the partition of the community, the Hearing Officer shall prepare a Hearing Officer Conference Report, summarizing the relevant 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.

E. In the event the agreement is only a partial agreement, the Hearing Officer shall prepare a Hearing Officer Conference Report containing a summary of facts and list of recommendations on those issues on which there is no agreement.

F. 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.

G. 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 or implementing the agreement of the parties.

Comment:

Partition of Community, paragraphs above, former Sixteenth Judicial District Court Rule 5A.8.

DOMESTIC VIOLENCE PROTECTIVE ORDERS

Forms, Notices and Orders Required

A. Upon the filing of any petition alleging domestic abuse under Title 46 of the Louisiana Revised Statutes, the Clerk shall assign a date and time for hearing on Protective Orders before the Hearing Officer and the Judge assigned to hear rules to show cause on that same day, and shall insure that the appropriate citations and notices required by law for service on the parties shall instruct the parties to report to the Hearing Officer on the date and at the time of the scheduled hearing.

B. The Hearing Officer shall conduct a pre-trial hearing with the parties prior to their appearance before the Judge hearing those matters on the scheduled court date, and shall attempt to have the

parties reach an agreement regarding an appropriate resolution of the issues before the Court.

C. If the parties reach an agreement, the Hearing Officer shall prepare the appropriate documentation for the review and execution of the parties, and for subsequent review and approval of the Judge.

D. If the parties fail to reach a complete agreement, the Hearing Officer shall verbally advise the parties of the recommendation and determine whether either or both of the parties object to the recommendation. If either or both of the parties voice an objection, the Hearing Officer shall communicate the recommendation to the Judge which was provided to the parties, and shall refer the parties to the Judge for an adversarial hearing, which shall be taken up by the Judge on the docket for that same day.

E. It shall not be necessary for either party to file a written objection to the Hearing Officer's verbal recommendation in matters seeking relief for protection from abuse or harassment (protective orders) which are being heard on the same day as the Hearing Officer's pre-trial hearing, and it shall be sufficient for a party to voice an objection to the Hearing Officer. Notwithstanding, if a request for protection from abuse or harassment is presented to the Court in a civil proceeding other than a protective order hearing and which is heard in a Hearing Officer Conference, a party objecting to a recommendation in a Hearing Officer Conference Report shall be required to file a written objection as provided elsewhere in these rules.

Comment:

Domestic Violence Protective Petitions/Orders, paragraphs above, former Sixteenth Judicial District Court Rule 5A.9

ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Notice and Exchange of Information

In all alimony cases, counsel shall file a financial declaration of the client on forms to be supplied by the office of the Clerk of Court. In all child support cases, counsel shall file the worksheet required by LSA-R.S. 9:315.2. These affidavits shall serve as pre-trial memoranda if the only contested issues are the amounts of alimony and/or child support.

Comment:

Alimony/Child Support, paragraphs above, former Sixteenth Judicial District Court Rule 7.1

CHILD SUPPORT PURSUANT TO HEARING OFFICER PROCEEDING CRIMINAL NON-SUPPORT; NON-SUPPORT HEARING OFFICER

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 a majority of the entire Court to hear support and support related matters.

B. The Hearing Officer shall be an attorney who is a member in good standing of the Louisiana State Bar Association. The salary of the Hearing Officer shall be fixed by majority vote of the Court.

C. 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 or amended, unless limited by the Court.

D. The Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing with the Clerk of Court of the motion for same provided by LSA-R.S. 46:236.5C(5) within seventy-two (72) hours from the date of the Hearing Officer's recommendation to the Court. Such hearings shall be governed by the General Criminal Rules as herein provided.

E. If no request for a hearing before a Judge is filed within said seventy-two (72) hour period, an order shall be signed by any Judge of the Court confirming the recommendation of the Hearing Officer, which order shall be a final judgment and be appealable to the appropriate Court of Appeal. Sixteenth Judicial District Court Rule 14A

Comment:

Child Support Pursuant to Hearing Officer Proceedings, Criminal Non-Support, paragraphs above,

**Seventeenth Judicial
District Court**

Parish of Lafourche

**Eighteenth Judicial
District Court**

HEARING OFFICERS

**Parishes of Iberville,
Pointe Coupee and West
Baton Rouge**

Section 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 and family related matters by authorizing and directing Judges assigned to the Family Docket to nominate one or more Hearing Officers, with the approval of a majority of Judges of the Eighteenth Judicial District Court, to hear family law 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.

Section B.

Unless otherwise ordered by a judge of this Court, the Hearing Officer shall perform Hearing Officer Conferences on all matters filed on the Family Docket. Any request to have the matter heard by the Court, without a Hearing Officer Conference in advance of the court hearing, shall be presented to the Hearing Officer, who shall then present the request to the presiding Judge with an appropriate recommendation regarding whether a Hearing Officer Conference should take place or may be bypassed.

Section C.

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 this 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 appearing or practicing before the Eighteenth Judicial District Court.

Section D.

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

HEARING OFFICER RULES

Section A.

Intake Conference Order.

1. After filing initial pleadings with the Family Docket, all parties will be required to attend an Intake Conference with the assigned Hearing Officer.
2. The initial Intake Conference will be scheduled within twenty-one (21) days following the filing of the pleading.
3. If, however, the court determines that there exists a situation of immediate danger or urgency, the initial conference will be scheduled at an earlier date at the request of the parties. If Ex Parte custody see Rule 21.

4. At the Intake Conference, the Hearing Officer will determine the issues of the case and make recommendations.

Section B.

Child Support, Spousal Support, Custody and Visitation

1. The hearing officers will make recommendations in all child support and all spousal support matters as follows:
 2. At an 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 Affidavit substantially in compliance with Form A.
 - (b) The last three (3) 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 paycheck stubs are available, other appropriate documentation shall be attached.
 - (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.
 - (g) Private School
3. 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.
4. Any party requesting attorney fees pursuant to a Contempt proceeding should provide the Court with an itemized account reflecting the time spent and the hourly rate charged in preparation of the Contempt proceeding.

Section (B) (1)

Protective Orders and Domestic Abuse Petitions

1. Pursuant to LSA R.S. 46:2135(I) all initial rules to show cause why a protective order should not issue shall be heard by a Hearing Officer, appointed in accordance with the procedures provided in LSA R.S. 46:236.5 and Local Rule 24, and subject to the following procedures.
2. Upon 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 or Hearing Officer for the purpose of reviewing the petition and granting or denying a temporary restraining order. Upon the granting of the 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 or temporary restraining order court in each respective parish.
3. 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.
4. Should any party request an appeal/objection to the District Court, such appeal/objection must be perfected according to the procedures set forth below in Section C.

Section C.

Objection/Appeal

1. If objections are made to the hearing officer's recommendation, (FORM O) (Objection to Hearing Officer Recommendation) must be completed and filed into the record.
2. After the hearing officer makes the recommendation, the parties will have three (3) days, exclusive of legal holidays, and weekends from the date of the hearing, to object to the hearing officer recommendation.
3. Should any party request an appeal to the District Court, such appeal must be perfected according to the procedures set forth here and the parties shall be directed to the District Judge, where the appeal shall be heard, by contradictory hearing, as expeditiously as possible but no later than the next regularly scheduled civil motion day following the request for an appeal.
4. If an objecting party does not appear at the time on which the matter is scheduled for trial, then the judge shall accept, reject, or modify in whole or in part the findings of the the hearing officer.
5. 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 as a final judgment. The Hearing Officer's recommendation must be attached to the final order along with a child support worksheet.
6. If both parties agree to the hearing officer's recommendation on the day of the Intake Conference, and 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 recommendation must be attached to the final order.
7. 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.
8. If the parties reach a stipulation, they waive their right to objection/appeal to the District Court Judge. Thereafter, if change is sought the appropriate pleadings must be filed.

Section D.

Custody and Visitation

1. 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.
2. 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 in compliance with (FORM Q & R).
3. The parties who have been referred to mediation or psychological evaluations will be required to exchange proof to the Court as to the appointments set for mediation or evaluations within fifteen working days after the Intake Conference.

Section E.

Continuance

Where the parties agree on a continuance and the date, it will be necessary for each attorney to fax correspondence to the Hearing Officer stating the above. The correspondence shall include the caption of the case, docket number and parish along with the current date the hearing is set for, the new date agreed upon and the signatures of BOTH parties. Otherwise, a formal motion shall be filed and a contradictory hearing will be held.

NON-SUPPORT (CIVIL AND CRIMINAL)

Section A.

Pursuant to Louisiana R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court implements an expedited process for the establishment, modification and enforcement of support obligations by appointment of one or more Hearing Officers to hear support and support-

related matters. The Hearing Officers shall act as a finder of fact and shall make recommendations to the Court. At the conclusion of the hearing, the Hearing Officer shall render a written recommendation to the Court.

Section B. Administrative Fee for Expedited Process.

Pursuant to the authority of R.S. 46:236.5, in all Title IV-D Social Security Act 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 February 1, 1994, in accordance with the rule as adopted by the Eighteenth Judicial District.

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

Section C. Filings and Pleadings.

All pleadings and motions pertaining to Non-Support shall be filed with the Non-Support Docket Clerk.

Section D. Docketing of Cases, Development of Forms.

The Eighteenth Judicial District's 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 Eighteenth Judicial District's Family Docket to preside over non-support hearings. The Eighteenth Judicial District's 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.

**Nineteenth Judicial
District Court**

**Parish of East Baton
Rouge**

**Family Court, Parish of
East Baton Rouge**

**For the Parish of East
Baton Rouge**

**Twentieth Judicial
District Court**

**Parishes of East Feliciana
and West Feliciana**

**Twenty-First Judicial
District Court**

A. 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.

**Parishes of Livingston,
St. Helena and
Tangipahoa**

B. 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.

C. 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.

D. 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.

**Twenty-Second Judicial
District Court**

**Parishes of St. Tammany
and Washington**

Amended December 6,
2016, effective January 1,
2017.

I. Hearing Officers – General

Pursuant to La. R.S. 46:236.5(C), an expedited process for the establishment of paternity and the establishment and enforcement of support and other related family and domestic matters in District Court using hearing officers is implemented by the 22nd Judicial District Court as contained in the statute. The judges may appoint Hearing Officers to hear paternity, support, and other domestic and family related matters, as those matters are defined in the statute. The Hearing Officers may act as finders of fact and may make recommendations to the Court as authorized by the statute.

The 22nd Judicial District Court Judges, by majority vote, shall determine the number of Hearing Officers for the Family Court Docket and shall set the salaries of the Hearing Officers and any other personnel employed to implement these procedures.

The Hearing Officers shall be full or part time employees of the Court and shall be attorneys who have been in good standing with any state bar association for not less than five (5) years and who have prior experience in cases involving child support services.

The Hearing Officers shall have authority to perform and shall perform any and all duties assigned to them by the Judges of the 22nd Judicial District Court, which are consistent with LSA R.S. 46:236.5, as it presently exists or as it may be supplemented or amended.

Hearing Officer(s) shall be prohibited from appearing or practicing as an attorney before the 22nd Judicial District Court, separate and apart from their duties as a Hearing Officer.

II. Hearing Officer Procedure

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 Exception shall be set for hearing before the Judge, on or before the Hearing Officer Conference, if the court's schedule allows. The Judge shall conduct a hearing on the Exception and may thereafter immediately proceed with the hearing on the pleading to which the Exception was urged or order the parties to attend a Hearing Officer Conference or take such other actions as provided for by law. At the Judge's discretion, after an exception is filed, the Hearing Officer Conference may be waived.

D. Procedure Prior to the Hearing Officer Conference

1. In all suits for divorce and in suits assigned to the Family Court, each party shall be served with an Appendix 23.0D Hearing Officer Conference and Information Order, and shall prepare, and exchange with the opposing counsel or party, the appropriate portions of the mandatory Appendix 23.0B Family Law Affidavit, with required attachments, five (5) business days prior to the Hearing Officer Conference. The original Family Law Affidavit and required documents shall be submitted to the Hearing Officer at the Hearing Officer Conference.

2. The parties are to personally sign the Appendix 23.0B Family Law Affidavit, under oath, certifying that the information contained therein and the attached documents are complete, true and correct to the best of their knowledge, information and belief. The parties are to immediately amend the affidavit and provide new documentation, if any of the information changes contained in the affidavit, prior to the hearing, and shall immediately correct any errors discovered after completion. Any amended Family Law Affidavit is to be provided to the opposing party and also a copy provided to the Hearing Officer at any subsequent conference.

3. A party's failure to comply with the Hearing Officer Conference and Information Order may result in penalties and sanctions. If a party does not provide the required Family Law Affidavit, documents and financial information as ordered by the Court, necessary for the Hearing Officer to make a determination as to the amount of child support or spousal support, then the Hearing Officer may recommend any of the following:

- a) The party failing to produce the financial information be found in Contempt of Court with sanctions to be imposed;
- b) The matter be dismissed without prejudice;
- c) Good cause exists to modify the retroactivity of the award;
- d) Temporary orders issue 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 setting temporary child support or spousal support or for a hearing on Contempt of Court. The temporary order shall be without prejudice and shall not affect claims or retroactivity except for good cause shown.

4. If a party or attorney, after having been duly cited and served with process, fails to appear or remain for the duration of a Hearing Officer Conference, or is removed from the conference for disorderly or disruptive behavior, the Hearing Officer may impose or recommend a finding of contempt and appropriate sanctions in accordance with La. R.S. 46:236.5(C)(3)(f) and La. R.S.

5. If there are complicated or extraordinary issues that will require a Hearing Officer Conference longer than one and one-half (1 ½) hours, the parties shall request an extended Hearing Officer Conference in the order attached to the pleading.

6. 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.

7. For rules concerning continuances of Hearing Officer Conferences, see Appendix 24.8A.

8. Participation by Telephone: No party or attorney may participate by phone 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.

E. Procedure During the Hearing Officer Conference

All parties and their attorneys are required to participate in the Hearing Officer Conference. The original Family Law 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 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. All attorneys shall have access to their calendars at the Hearing Officer Conference to facilitate future scheduling.

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) A Court approved mediator must be listed on the roster of approved custody and visitation mediators with the Louisiana State Bar Association Alternative Dispute Resolution Section.

d) Notwithstanding any other provision of law to the contrary, in any separation, divorce, child custody, visitation, child support, spousal support, 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 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, 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 any party has moved for drug testing pursuant to La. R.S. 9:331.1, or if the Hearing Officer makes a determination that drug testing should be conducted of the parties or children, 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 recommendation shall become an immediate order of the court.

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.

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.

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. Except as specifically noted below or as otherwise provided for in these Appendices and Rules, each party shall have five (5) days, exclusive of legal holidays, from issuance of the Hearing Officer Conference recommendation to file an objection to the Hearing Officer Conference recommendation, which objection form is available attached to this section or on the 22nd Judicial District Court's website at www.22ndJDC.org under the Family Court Division's section. Objection to a Hearing Officer's recommendation regarding a Judgment of Divorce, stipulations and/or court cost rules, shall be made at the close of the hearing before any party leaves the courtroom. Any party objecting to the Hearing Officer's recommendation shall immediately notify the Deputy Clerk of Court present in the

courtroom and shall file their written objection with the Clerk of Court within five days, exclusive of legal holidays. Failure of a party to notify the Deputy Clerk of Court of their objection before leaving the courtroom or subsequent failure to timely their written objection, after having objected by the close of the hearing as provided herein, waives their objection to the Hearing Officer's recommendation. Written objections to recommendations of the Hearing Officer shall contain a brief statement on the reasons for the objection to the recommendations. All issues not stipulated to in the Hearing Officer Conference or thereafter 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 before the Judge, with the exception that a recommendation on issues involving contempt, a change in legal custody, substance abuse evaluation or treatment, custody evaluation, relocation, or termination of community property does not become a temporary order, and will only remain a recommendation until the rule date, unless no objection is filed, in which case the recommendation becomes a final order or Judgment of the court upon the Judge's signature. If the matter is heard by a Hearing Officer at a hearing required under La. C.C.P. art. 3945(D) or (F), the Hearing Officer has the authority to recommend a temporary change in legal and/or physical custody pending the rule date set before the Judge. The recommendations shall become a temporary order of the Court upon the Judge's signature pending further orders 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 right to seek support retroactive to the date of demand are waived as a result of the temporary orders issued after the Hearing Officer Conference.

VS DOCKET # _____ DIVISION _____ PARISH OF _____
STATE OF LOUISIANA
FILED: _____

DEPUTY CLERK

OBJECTION TO
HEARING OFFICER CONFERENCE REPORT

IMPORTANT INFORMATION ABOUT FILING AN OBJECTION

Objections to the Hearing Officer Conference Report must be filed with the St. Tammany Parish Clerk of Court within 5 days, exclusive of legal holidays, from receipt of the Hearing Officer Conference Report. Please contact the Clerk of Court at (985) 809-8700 for specific instructions on the filing of Objections, including information on fax filing and payment of required fees.

Objections which are fax filed are not considered "filed" for purposes of preserving an objection, unless the original document along with the required filing fee are received by the Clerk of Court's office within the delays set out above.

NOW, INTO COURT, through undersigned counsel, or in proper person, comes

_____, who represents as follows:

A Hearing Officer Conference was held on _____, 20___; recommendations were made on _____, 20___, and the deadline to object was _____, 20___.

Mover objects to the "Recommendations" contained in the Hearing Officer Conference Report, for the following reasons:

1. _____
2. _____
3. _____

WHEREFORE, MOVER PRAYS that this Objection to Hearing Officer Conference Report be deemed good and sufficient and that this matter proceed to hearing as currently scheduled, on all issues unresolved by Consent Judgment of the parties.

RESPECTFULLY SUBMITTED:

Signed: _____

Mover/Attorney for Mover

Address: _____

City, State, Zip: _____

Telephone: (_____) _____ - _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing has been sent to all parties or their known counsel of record, as well as to the Hearing Officer on the same day and in the same manner that the Objection has been provided to the Clerk of Court, by

- United States mail, properly addressed and postage prepaid.
- Registered United States mail, return receipt requested, properly addressed and postage prepaid.
- Facsimile transmission.
- Hand Delivery.

_____, Louisiana, this _____ day of _____, 20_____.

Mover/Counsel of Record for Mover

Twenty-Third Judicial District Court

Parishes of Ascension, Assumption and St. James

Amended November 30, 2015, effective January 1, 2016; amended July 15, 2019, effective August 1, 2019.

USE OF HEARING OFFICERS

A. In order to create an expedited process for the establishment of paternity, the establishment and enforcement of child support, hearing of protective orders and to facilitate access to courts by non-represented litigants in the Twenty-Third Judicial District Court, the judges of the Twenty-Third Judicial District hereby create one or more positions of Hearing Officer in accordance with the provisions of La. Revised Statutes 46:235, et seq.

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.

1. Pursuant to R.S. 46:2135 and R.S. 46:236.5, Title 9, and the Louisiana Children's Code, the Court hereby authorizes the Hearing Officer(s) to hear all matters pertaining to protective orders.

2. Pursuant to R.S. 46:2135 and R.S. 46:236.5, Title 9, and the Louisiana Children's Code, the Court hereby authorizes the Hearing Officer(s) to hear all matters pertaining to Title IV-D Social Security Act child support cases.

3. Pursuant to R.S. 46:2135 and R.S. 46:236.5, Title 9, and the Louisiana Children's Code, in matters where no party is represented by counsel, the Court hereby authorizes the Hearing Officer(s) to hear all matters pertaining to the establishment and modification of child support, spousal support, child custody and/or visitation, use of community property, and the partition of community property.

a. In matters where all parties are self-represented and a party seeks to establish or modify child support, spousal support, child custody and/or visitation, use of community property, or the partition of community property, the Judge may refer the parties to a conference with the Hearing Officer to address these issues.

b. The Judge, upon determining that no parties are represented by counsel, shall cause the parties to immediately be served with the next available date for a conference with the Hearing Officer, as well as a date to return to court in the event the parties are unable to resolve the disputed issues.

c. At the conference the Hearing Officer shall facilitate the parties in an effort to amicably resolve disputed issues of child support, spousal support, child custody and/or visitation, use of community property, and the partition of community property. All issues resolved at the conference shall be immediately reduced to judgment and signed by the parties at the conclusion of the conference. In the event the parties are unable to resolve any or all of the issues, the Hearing Officer shall make a written recommendation to the Court on the unresolved issues. All parties and the Judge to whom the matter is allotted shall be provided with a copy of the written recommendation. The parties shall return to the Judge on the previously designated date and time.

D. Pursuant to the authority of R.S. 46:236.5, in all Title IV-D Social Security Act cases presently pending and arising in the future, the Court shall assess an additional five (5%) percent to each support obligation, including existing arrearages, as well as ongoing support payments, beginning January 1, 2004.

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

**Twenty-Fourth Judicial
District Court**

Parish of Jefferson

I. DOMESTIC CASES 24TH JDC, DOMESTIC COMMISSIONERS, DOMESTIC HEARING OFFICERS

A. The District Court

All matters allotted to the domestic docket shall be heard by the district judge to whom the case is allotted in a timely manner unless the matter is resolved before the domestic commissioner or the domestic hearing officer as provided for in these rules. Nothing herein shall be construed or interpreted to limit the jurisdiction or authority of any district judge. It is the goal of the 24th Judicial District Court that each district judge hold an aggregate of two domestic rule days per month and an aggregate of one domestic trial week per month. The domestic docket may be commingled with other dockets.

Emancipations and annulment proceedings shall be heard exclusively by the district court. These matters are excluded from the jurisdiction of the domestic commissioners and domestic hearing officers.

B. Domestic Commissioners

1. Appointment of Domestic Commissioners

The position of domestic commissioner for the 24th Judicial District Court, pursuant to La. R.S. 13:717, which shall consist of one or two domestic commissioners to hear matters as set forth herein, has been established.

2. Purpose

The domestic commissioner position has been created to facilitate an expedited process for the handling of domestic matters.

3. The Powers and Responsibilities of the Domestic Commissioner

- a) Administer oaths and affirmations.
- b) Conduct domestic abuse hearings including actions filed pursuant to the Domestic Abuse Assistance Act, the Post Separation Family Violence Relief Act, and Uniform Abuse Prevention Orders.
- c) In cases where domestic abuse issues are pending, or where there has been a finding of domestic abuse, the domestic commissioner will address the issues normally heard by the domestic hearing officer with objections therefrom made to the district court as set forth in this Appendix.
- d) Hear ex parte applications for immediate temporary/provisional custody and visitation rights which are pled under one of the following statutes:
 - i. La. R.S. 46:2131, et seq., Domestic Abuse Assistance Act;
 - ii. La. R.S. 9:361, 363, 364 Post Separation Family Violence Relief Act;
 - iii. La. R.S. 9:372;
 - iv. La. C.C.P. Art. 3601 et seq;
 - v. La. C.C.P. Art. 3945.
- e) Hear objections to recommendations from the hearing officer on stand-alone non-support matters (allegations of back due child support which have previously been set when there is no motion to modify child support pending).
- f) Hear disputes concerning discovery and issuance of subpoenas.
- g) Following a domestic hearing officer conference sign the interim judgment of the court ordering the implementation of the hearing officer recommendations pending filing of objections and a hearing before the district court.
- h) Render consent judgments under La. C.C. Art. 3071 and uncontested judgments.
- i) Render and sign judgments and orders confirming default judgments in accordance with the general provisions of law.
- j) Grant uncontested divorces under La. C.C. Arts. 102 and 103, or pursuant to R.S. 9:307.
- k) Hear exceptions and motions for extension of time.
- l) Act as duty domestic commissioner, from 9:00 a.m. to 4:30 p.m. with one and one-half (1½) hours for lunch, to address issues of immediate danger on an emergency basis when the domestic commissioner to whom a case has been allotted is unavailable and the issue relates to matters within the powers and responsibilities of the domestic commissioner.
- m) Fine and punish for contempt of court in the same manner as a district court judge, as set forth in La. C.C.P. Arts. 221 through 227, when the allegedly contumacious conduct relates to a matter within the powers and responsibilities of the domestic commissioner, including finding of contempt before a hearing officer, as set forth herein.
- n) Sign all orders pertaining to the duties enumerated above.

4. Limited Powers

Pursuant to La. R.S. 13:717(F) the powers of the domestic commissioner are limited to those specifically enumerated herein. Nothing herein shall diminish the powers of the district court.

5. Signing of Orders

The commissioner shall be available, from 9:00 a.m. to 4:30 p.m. with one and one-half (1½) hours for lunch, for the signing of all orders allowed under these powers.

C. Domestic Hearing Officers

1. Appointment of Domestic Hearing Officers

There is hereby established the position of domestic hearing officer for the 24th Judicial District Court pursuant to La. R.S. 46:236.5. There shall be one or more domestic hearing officers to hear

matters as set forth herein. The domestic hearing officers shall be appointed by the 24th Judicial District Court en banc and serve at the pleasure of the court.

2. Qualifications

a) The domestic hearing officer shall be a full-time or part-time employee of the court and shall be a member in good standing of the Louisiana State Bar Association who has practiced law for a minimum of five (5) years in a practice in which at least fifty (50%) percent of his or her case load involves domestic cases. This qualification does not apply to presently appointed hearing officers.

b) The domestic hearing officers shall be prohibited from appearing or practicing before the 24th Judicial District Court or the Jefferson Parish Juvenile Court. Domestic hearing officers shall additionally be prohibited from handling any domestic law or domestic abuse matters in the State of Louisiana. This prohibition shall not be construed to create a conflict of interest within the meaning of the Rules of Professional Responsibility for a law firm in which a domestic hearing officer may be a member, partner or associate.

c) Other than the restrictions listed in (b) above, the domestic hearing officers shall be allowed to practice law, but such practice shall not interfere with their job duties and responsibilities as domestic hearing officer. Full time hearing officers are paid for seven (7) hours of work per day.

3. Compensation

The court en banc shall fix the salary or salaries of the hearing officers and any other personnel hired or employed to implement this procedure.

4. Purpose

The domestic hearing officer position is created to facilitate an expedited process, for the handling of domestic matters including divorce and all issues ancillary to a divorce proceeding pursuant to La. R.S. 46:236.5.

5. Powers and Responsibilities

a) The domestic hearing officers shall have authority to perform and shall perform any and all duties assigned by the court en banc which are consistent with La. R.S. 46:236.5 (C) (1) (2) (3) (4) and (5).

b) The domestic hearing officer shall act as a finder of fact and shall hear and make written recommendations to the court concerning any domestic matters, including but not limited to the following:

i. All issues which are ancillary to a domestic proceeding, including but not limited to:

a. use and occupancy of movables and immovables;

b. establishment, modification and method of collection of spousal support;

c. injunctive relief, except pursuant to La. R.S. 9:361 and 9:372 where there is an allegation of domestic abuse, fear for safety or imminent danger, La. C.C.P. Art. 3601 et seq., La. R.S. 46:2131, et seq., or La. R.S. 13:4248, or any motion to modify or dissolve an existing Louisiana Uniform Abuse Prevention Order;

d. community property;

ii. All child-related actions in marital and non-marital cases, except issues concerning emancipation of minor

children, domestic abuse and non-emergency UCCJA, including but not limited to:

a. establishment, modification and method of collection of child support;

b. hear all stand-alone non-support matters (allegations of back due child support which have previously been set when there is no motion to modify child support pending).

c. establishment, modification and enforcement of child custody and visitation;

d. contested and uncontested paternity issues;

iii. Contempt;

iv. In cases in which a domestic abuse issue is pending or in which there has been a finding of domestic abuse, the defendant or adjudicated abuser may not appear before the domestic hearing officer during the period in which the abuse petition is pending or the protective order is in effect. In those cases the domestic commissioner will address the issues normally heard by the domestic hearing officer pursuant to this Appendix.

c) In connection with his or her powers and responsibilities the hearing officer may:

i. Administer oaths and affirmations;

ii. Compel the attendance of witnesses and issue subpoenas;

iii. Recommend blood and tissue tests for the determination of paternity in accordance with R.S. 9:396 et seq.;

iv. Recommend the referral of parties to mediation, medical and psychological evaluation, and drug testing in accordance with R.S. 9:306 and 331 et seq., and make recommendations regarding the referral of parties to counseling and substance abuse treatment;

v. Recommend the appointment of special masters, accountants, other financial experts, real estate agents, appraisers of movables and immovables and other experts as deemed necessary;

vi. Hear and make recommendations on default orders or rules to show cause, if the absent party does not respond to notice;

vii. Hear and make recommendations on the punishment by the commissioner or court for constructive contempt of an order of the court, commissioner, or hearing officer;

viii. Issue bench warrants for the failure to respond to summons, or appear at hearings, or produce documents; as ordered by the hearing officer;

ix. Prepare a suggested scheduling order where appropriate;

x. Accept voluntary acknowledgments of support liabilities and stipulated agreements setting forth the amount of support to be paid;

xi. Sign and issue all rules nisi, orders to appear and show cause, and other orders necessary to the performance of the duties of the office;

xii. Prepare consent judgments, where appropriate, following the domestic hearing officer conference for immediate signature by all parties and the domestic commissioner;

xiii. Schedule additional conferences, hearings, rule dates as necessary.

II. FAMILY LAW PROCEEDINGS: HEARING OR TRIAL DATE BEFORE THE DISTRICT COURT

1. The District Court

All domestic matters shall be heard by the district judge to whom the case is allotted in a timely manner, unless the matter is resolved before the domestic commissioner or the domestic hearing officer as provided for in these rules.

a) Objections to Orders. A party shall have five (5) days from the receipt of the order, ruling, or judgment of the domestic commissioner to file a written objection to said order, ruling or judgment. Thereafter, the order, ruling or judgment of the domestic commissioner shall become the order, ruling or judgment of the court pursuant to La. R.S. 13:717.

i. Rendition of the judgment in open court constitutes notice to all parties present. La. C.C.P. Art. 1914.

ii. If neither a party nor counsel is present, the objection shall be filed within five (5) days from the date of receipt of the judgment or order. Notice of the signing of the judgment or order shall be reduced to writing, filed in the record, and mailed in conformity of La. R.S. 13:717.

b) At the time an objection from an order, ruling, or judgment of the domestic commissioner is filed,

the clerk of court shall endeavor to set a hearing or trial date on the docket of the district judge to whom the case was allotted within not less than thirty (30) nor more than thirty-five (35) days where an earlier date is not required by law, or these rules. When the matter was previously set on the district court's docket upon filing of the original pleading in question, the objection shall be heard on the district court's docket as originally set.

In the case of an emergency, the district judge to whom the case was allotted shall address the matter immediately; if that judge is truly unavailable, the duty judge shall address the matter immediately.

c) If the hearing date before the district judge has not already been set, notice of said hearing date with the pleading shall be mailed or served in conformity with La. C.C.P. Art. 1313 et seq. upon the parties or counsel at the same time as service of the objection unless notice was given in open court or waived by both parties.

d) Any party who is aggrieved by a judgment entered by a district judge on objection from a decision of the domestic commissioner may appeal or take a writ from that judgment in the same manner as any other judgment entered by a district court.

2. The Domestic Commissioner

a) 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 both the district court and the domestic commissioner, the clerk of court shall endeavor to set the matter, except as listed below, on the docket of the domestic commissioner within not less than thirty (30) nor more than thirty-five (35) days of filing where an earlier, or later, date is not required by law. Exceptions may be set for hearing by motion of the exceptor prior to the scheduled hearing before the domestic commissioner.

b) The clerk of court shall endeavor to set a hearing or trial date before the district court division to whom the case is allotted for not less than forty (40) nor more than fifty-five (55) days following the filing of the original pleading in question, unless a shorter, or longer, period is required by law.

i. In the case of an emergency, the domestic commissioner to whom the case was allotted shall hear the matter without delay. If that domestic commissioner is truly unavailable, the other domestic commissioner, the district judge to whom the case is allotted, or the duty judge, in that order, shall hear the matter without delay. In the case of an objection to a ruling of the domestic commissioner, in an emergency matter, the district court shall hear the matter without delay.

ii. All initial pleadings filed pursuant to the Domestic Abuse Assistance Act, the Post-Separation Family Violence Relief Act, and motions for Uniform Abuse Prevention Orders shall be set at the time of filing on the docket of the domestic commissioner to be heard within the delays allowed by law.

iii. All initial actions to compel or enforce discovery shall be set for hearing on the docket of the domestic commissioner in not less than thirty (30) days nor more than thirty-five (35) days, unless an earlier, or later, date is required by law. Discovery motions may be heard on an earlier date if the domestic commissioner's docket can accommodate it.

c) A party who objects to a judgment or order of the domestic commissioner on matters set forth in these rules shall file a written objection as set forth in this Appendix.

3. The Domestic Hearing Officers

a) At the time a pleading is filed in which an issue exists which is within the authority and responsibility of both the district court or the domestic commissioner and the hearing officer and requiring a domestic hearing officer conference, the clerk of court shall endeavor to set a domestic hearing officer conference date before the hearing officer in not less than thirty (30) nor more than thirty-five (35) days of the date of filing, unless an earlier, or later, date is required by law.

b) The clerk of court shall endeavor to set a hearing or trial date before the court or domestic commissioner to whom the case was allotted in not less than forty (40) nor more than fifty-five (55) days following the filing of the pleading, unless an earlier, or later, date is required by law, as set forth in this Appendix.

c) A Notice of Hearing Officer Conference and Notice of Hearing Date of Suit (below), an Appendix 23.0D Hearing Officer Conference and Information Order, and an Appendix 23.0B Family Law Affidavit shall be served upon opposing counsel or defendant in rule if there is no counsel of record at the same time as service of the pleading.

NOTICE OF HEARING OFFICER CONFERENCE
AND NOTICE OF HEARING DATE OF SUIT

TO:

24th Judicial District Court

Versus

Case Number:

Division:

Parish of

Jefferson, Louisiana

RULE SET BEFORE: HEARING
OFFICER: _____

DOMESTIC

COMMISSIONER: _____

JUDGE: _____

In the above-numbered and entitled case in which you are a party or attorney for plaintiff or defendant, the following rule(s) have been filed:

A Hearing Officer Conference has been set before the above named Hearing Officer at the Thomas F. Donelon Building, 200 Derbigny Street, Gretna, Louisiana on the ____ day of _____, 20____ at ____ a.m./p.m. on all issues in the above -captioned matter.

In the event that an objection is made to the Hearing Officer's recommendation, the said case has been set for a hearing before the District Judge or Domestic Commissioner (circle one) on these objections together with the non-support related issues on the ____ day of _____, 20____ at ____ a.m./p.m.

Deputy Clerk of Court
Parish of Jefferson

****NOTICE****

FAILURE TO APPEAR AND/OR COMPLY WITH THE HEARING OFFICER CONFERENCE ORDER MAY RESULT IN AN ORDER ADVERSE TO YOUR INTEREST AND/OR SUCH OTHER ACTION AS THE COURT MAY DEEM APPROPRIATE.

IN THE EVENT OF A SETTLEMENT OR DISMISSAL OF THESE ISSUES, YOU MUST NOTIFY THE OFFICE OF THE HEARING OFFICER IMMEDIATELY AT 364-3869 AND THE OFFICE OF THE JUDGE ASSIGNED TO THE CASE.

COMPLIANCE WITH ATTACHED ORDER IS MANDATORY

- i. The defendant in rule shall be served by the sheriff or in accordance with Louisiana law (La. C.C.P. Arts. 1313, 1314).
- ii. The Notice of Hearing Officer Conference and Notice of Hearing Date of Suit (above), the Appendix 23.0D Hearing Officer Conference and Information Order, and the Appendix 23.0B Family Law Affidavit will be mailed by the clerk of court to the plaintiff/mover unless plaintiff, counsel or counsel's representative received these documents from the clerk by hand on date of filing.

iii. The Appendix 23.0B Family Law Affidavit shall be completed and delivered to the opposing party and to the hearing officer not later than five (5) days, exclusive of weekends and legal holidays prior to the domestic hearing officer conference.

d) Upon filing of all pleadings in any ongoing matter within the authority and responsibility of the domestic hearing officer, the clerk of court shall deliver to the plaintiff and the defendant a Notice of Hearing Officer Conference and Notice of Hearing Date of Suit, an Appendix 23.0D Hearing Officer Conference and Information Order, and an Appendix 23.0B Family Law Affidavit by the means described above.

i. A new affidavit and statement of income and expenses must be completed in any cases in which there are changes in the answers to the questions asked in the affidavit or statement of income and expenses.

ii. The Appendix 23.0B Family Law Affidavit shall be completed and delivered to the opposing party and to the hearing officer not later than five (5) days, exclusive of weekends and legal holidays prior to the domestic hearing officer conference.

e) A party shall have five (5) days from the receipt of the recommendation or order of the domestic hearing officer to file a written objection to said recommendation or order. Thereafter, the recommendation of the domestic hearing officer shall become the judgment of the court. The objecting party shall file a memorandum on the law and facts with the district court judge within five (5) working days of the date the objection is filed.

i. Presentation of the recommendation or order to the parties and/or counsel at the hearing officer conference constitutes notice to all parties present.

ii. If neither the party nor that party's attorney is present, the objection shall be filed five (5) days from receipt of the recommendation or order. Notice of the signing of the recommendation or order shall be mailed in conformity with La. C.C.P. Art. 1313. Receipt is presumed five (5) days after mailing.

iii. The court or domestic commissioner shall hear the objection to the hearing officer recommendation or order on the date previously set pursuant to this Appendix.

f) Any party who is aggrieved by a judgment entered by a district judge on appeal from an objection from a recommendation of the domestic hearing officer may appeal or apply for a writ from that judgment in the same manner as any other judgment entered by a district court.

4. Hearing matters timely

Any matters within the powers and responsibilities of the domestic commissioner or the domestic hearing officer which cannot be heard in a timely manner or within the delays prescribed by law or the rules of court shall be heard in a timely manner and within the delays prescribed by law or the rules of court by the judge of the division to whom the case was allotted. In case of emergency where the district judge to whom the case was allotted is truly unavailable, by the duty district judge.

24th JDC -- Comment

The language "[t]he objecting party shall file a memorandum on the law and facts with the district court judge within five (5) working days of the date the objection is filed" that appears in Rule 24.0(A)(3)(e) is new. It was adopted August 30, 2006. It became effective on January 1, 2007.

III. THE DOMESTIC HEARING OFFICER

The Domestic Hearing Officer

The domestic hearing officers shall perform hearing officer conferences on all matters set forth in Part I, Section (E)(5) of the 24th J.D.C.'s entry in Appendix 32.0B ("Family Law Proceedings: Hearing or Trial Date Before the District Court") 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 Part I, Section (E)(5)(b)(i) and (ii) of the 24th J.D.C.'s entry in Appendix 32.0B ("Family Law Proceedings: Hearing or Trial Date Before the District Court") of these rules.

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 Part II, Section 3 of the 24th J.D.C.'s entry in Appendix 32.0B ("Family Law Proceedings: Hearing or Trial Date before the District Court") which must be addressed/and or completed in accordance with the instructions contained in Part II.

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 Part II of the 24th J.D.C.'s entry in Appendix 32.0B ("Family Law Proceedings: Hearing or Trial Date before the District Court") 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 the 24th J.D.C.'s entry in Appendix 24.7B ("Order of Business") and Part II, Section 3 of Appendix 32.0B.

4. Notice of any hearing, rule, or trial will be given in conformity with the Louisiana Rules of Civil Procedure and these rules.

5. The initial exchange of information will occur as set forth in Section III, above, and District Court Rule 23.0.

6. Subsequent discovery will be governed by the Louisiana Code of Civil Procedure and as ordered by the hearing officer, domestic commissioner, or the district court as permitted by the Louisiana Code of Civil Procedure and these rules.

Twenty-Fifth Judicial District Court

Parish of Plaquemines

Twenty-Sixth Judicial District Court

**Parishes of Bossier and
Webster**

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 the delays set by the applicable District Court Rule (see Rules 33.0, 34.2, and 35.5) 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.

**Twenty-Seventh Judicial
District Court**

USE OF HEARING OFFICERS

Parish of St. Landry

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.

D. General Information.

1. 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.

2. 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.

3. Intake Conferences and Rule to Show Cause

(a) 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.

(b) 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.

(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.

(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.

E. Child Support and Spousal Support.

1. 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.

2. 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;

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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

F. Custody and Visitation.

1. If the parties have agreed to 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.

2. 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.

3. 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.

4. 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.

5. 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.

NON-SUPPORT (CRIMINAL AND CIVIL)

A. Expedited Process. Pursuant to Louisiana R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court implements an expedited process for the establishment, modification and enforcement of support obligations by appointment of one or more Hearing Officers to hear support and support related matters. The Hearing Officer shall act as a finder of fact and shall make recommendations to the Court. At the conclusion of the hearing, the Hearing Officer shall render a written recommendation to the Court.

B. Administrative Fee for Expedited Process. Pursuant to the authority of R.S. 46:236.5, in all Title IV-D Social Security Act cases presently pending and arising in the future, the Court shall assess up to an additional five (5%) percent to each support obligation, including existing arrearages and future arrearages, as well as ongoing support payments, as directed by the judges of the 27th Judicial District Court.

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

C. 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. 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 Court.

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 findings 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 proper appellate court.

E. Change of Address of Defendant or 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.

F. Children. Clients and witnesses shall be advised not to bring children to court, unless in unusual

circumstances where the child(ren) may be called as witnesses. Children, under the age of twelve, shall not be allowed in the courtroom without special permission of the court.

**Twenty-Eighth Judicial
District Court**

Parish of LaSalle

**Twenty-Ninth Judicial
District Court**

Parish of St. Charles

**Thirtieth Judicial District
Court**

Parish of Vernon

**Thirty-First Judicial
District Court**

Parish of Jefferson Davis

**Thirty-Second Judicial
District Court**

Parish of Terrebonne

A. Civil Duty Judge: A Judge of the Civil Court shall be assigned primary responsibility for the entry of preliminary defaults, confirmation of defaults, probate of testaments, examination of judgment debtors, signing of orders in domestic abuse petitions, commitments under the Mental Health Law, and in general, to handle all routine matters not involving a contest between the parties, and in which no contest is indicated. Such Judge shall be known as the Civil Duty Judge, and he shall open Court at 9:00 o'clock A.M. daily unless he has made other arrangements and has so advised the Clerk of Court and all other Judges. The Judicial Administrator shall set up a rotation for the designated Civil Duty Judge which shall be from Monday until Friday at 4:30 P.M., and the Judicial Administrator shall furnish to the Clerk of Court the Duty Judge rotation schedule in order that all attorneys might be informed of the Section of Court handling uncontested matters.

Counsel shall not present to the Duty Judge any matter which is related to, bears upon, or affects a contested hearing already docketed in a case. Such additional matters must be presented to the Judge to whom it is assigned.

The Duty Judge shall maintain regular office hours between 8:30 A.M. and 4:30 P.M. It shall be the responsibility of the Duty Judge to provide for his replacement during times of his unavailability, and to inform the Clerk of Court the day before of his replacement in order that the Clerk of Court will know where to send attorneys seeking the Duty Judge.

USE OF HEARING OFFICERS

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 a majority of the entire Court to hear support and support related matters.

B. 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.

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

D. 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.

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 of the appropriate Division of the Court. A written opposition to the Hearing Officer's Recommendation to the Court shall be filed within a certain number of days – dependant on the delays set forth in District Court Rules 33.0, 34.2, or 35.5 – from the date of the hearing with the Clerk of the Non Support Division of the Family Docket.

2. 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.

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 of the appropriate Division which shall be a final Judgment and shall be appealable to the appellate court.

F. Docketing of Cases, Development of Forms.

1. 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.

2. 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.

G. Use of Guidelines and Deviation from Guidelines.

1. 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.

2. 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.

H. Rules and Motions

1. 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.

2. 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.

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 parties are to provide proof of support

paid and/or received during the period of time in question.

I. 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.

J. Uniform Interstate Family Support Act (UIFSA)

1. 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".

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 (5%) percent of the support order.

K. 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.

L. 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 courtroom without permission of the court.

32nd JDC -- Comment

The sources of the 32nd JDC rules above are as follows:

Section A of this Appendix is former 32nd JDC Rule 14A.1.
Section B of this Appendix is former 32nd JDC Rule 14A.2.
Section D of this Appendix is former 32nd JDC Rule 14A.3.
Section E of this Appendix is former 32nd JDC Rule 14A.4.
Section F of this Appendix is former 32nd JDC Rule 14A.5.
Section G of this Appendix is former 32nd JDC Rule 14A.6.
Section H of this Appendix is former 32nd JDC Rule 14A.7.
Section I of this Appendix is former 32nd JDC Rule 14A.8.
Section J of this Appendix is former 32nd JDC Rule 14A.9.
Section K of this Appendix is former 32nd JDC Rule 14A.10.
Section L of this Appendix is former 32nd JDC Rule 14A.11.

**Thirty-Third Judicial
District Court**

Parish of Allen

**Thirty-Fourth Judicial
District Court**

Parish of St. Bernard

**Thirty-Fifth Judicial
District Court**

Parish of Grant

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
 - (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 a certain number of days – dependant on the delays set forth in District Court Rules 33.0, 34.2, or 35.5 – from 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 where the children may be called as witnesses.

**Thirty-Sixth Judicial
District Court**

USE OF HEARING OFFICERS

Parish of Beauregard

1. 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:

2. 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.

3. 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.

4. In connection with this requirement, attorneys shall confer with the opposing attorney/party no later than 48 hours prior to the pre-trial conference to determine what issues are contested.

5. 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."

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.

TITLE IV-D CASES

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:

In all non-Title IV-D (Social Security Act) cases the Court hereby assesses a fee of five (5%) percent on all support obligations made executory on or after July 1, 1994, as a result of hearing on a rule to enforce support. Such fee shall be paid only by money order or certified check made payable to "36th JDC CS Fund", and shall either be delivered directly to the Court's Support Collection Office at the Family Court Section of the 14th Judicial District Court, Calcasieu Parish, Louisiana, at the Courthouse in Lake Charles, Louisiana or mailed to Post Office Box 1150, Lake Charles, Louisiana 70602.

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 ongoing support payments, is hereby increased by five (5%) percent beginning July 1, 1994. On or after July 1, 1994 all such obligors or payors shall make any and all such payments for support, including the additional five (5%) percent amount, payable to the "36th JDC CS Fund". Such payments shall be made only by money order or certified check and shall be mailed to: 36th JDC, c/o P.O. Box 1150, Lake Charles, Louisiana 70602.

**Thirty-Seventh Judicial
District Court**

Parish of Caldwell

**Thirty-Eighth Judicial
District Court**

Parish of Cameron

Thirty-Ninth Judicial

District Court

Parish of Red River

**Fortieth Judicial District
Court**

**Parish of St. John the
Baptist**

Civil District Court

Parish of Orleans

Criminal District Court

Parish of Orleans

**Forty-Second Judicial
District Court**

Parish of DeSoto

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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