

**RULES FOR LOUISIANA DISTRICT COURTS**

**TITLES I, II, III, IV, V, and VI**

**Fifteenth Judicial District Court**

**Parishes of Acadia, Lafayette and Vermilion**

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**Title - I Chapter Title - Dates of Court**

**Chapter - 2** Monday before Mardi Gras.

**Rule - 2.0** Court may be held on a legal holiday when so ordered by the presiding Judge.

**Appendix - 2.0** Current information and specific court schedules can be accessed at [www.15thjdc.org](http://www.15thjdc.org)

Local Holidays in Addition to Legal Holidays  
Listed in La. R.S. 1:55  
See 2004 Amendment to La. R.S. 1:55(E)(1)(b) which, by reference to La. R.S. 1:55(B)(1)(a), adds Mardi Gras Day and General Election Day as legal holidays.

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

**Chapter - 3** The Court shall be divided into thirteen (13) divisions, “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, “I”, “J”, “K”, “L” and “M”, and each judge shall preside in the divisions to which the Judge has been elected, as provided in R.S. 13:582. This rule is adopted pursuant to the authority granted Divisions or Sections of Court in R.S. 13:472. All divisions shall be allotted adoption matters randomly by the Clerk of Court in the Parishes where the Judges’ respective chambers are located. Cases assigned to the Therapeutic Drug Court and Re-entry Court are allotted to Division “B”. Cases assigned to Juvenile Drug Court are allotted to Division “E”. Sobriety Court and Family Preservation Court are allotted to Division “I”. Suits for annulment, divorce and separation where there are no minor children born of, adopted or legitimated by the marriage together with all related incidental matters as defined by La. C.C. Art. 105, including a request for protective order instituted after the filing of the suit, and the community property partitions associated with the dissolution of said marriages shall be allotted to Divisions “A”, “B”, “C”, “D”, “E”, “F”, “G”, “I”, “J”, “K” and “L”.

**Rule - 3.1** The following matters shall be allotted to Divisions “H” and “M” in Lafayette Parish and to Divisions “H”, “J”, and “M” in Acadia and Vermilion Parishes and referred to as the Family Docket:

**Appendix - 3.1**

Divisions or Sections of Court

Amended effective April 1, 2005; amended effective April 1, 2009; amended effective January 1, 2010; amended effective February 24 and October 1, 2015; amended effective January 1, 2017; amended effective February 4, 2020; amended effective January 1, 2021.

(a) Suits for annulment, divorce and separation where there are minor children born of, adopted or legitimated by the marriage together with all related incidental matters as defined by La. C.C. Art. 105 and the community property partitions associated with the dissolution of said marriages.

(b) All child-related issues such as the establishment or disavowal of the paternity of children, filiation, custody, visitation, and support in non-marital cases, name changes for minor children, emancipations, or any other such matters as may be designated by the District Judges.

(c) All protective orders filed in accordance with R.S. 46:2131, et seq., and R.S. 46:2151 et seq., unless an annulment, separation or divorce action is pending and is a non-Family Docket matter.

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 Judges assigned to the Family Docket to nominate one or more Hearing Officers, with the approval of a majority of Judges of the Fifteenth Judicial District Court, to hear 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.

Said Hearing Officer(s) shall be prohibited from appearing or practicing before the Fifteenth Judicial

District Court.

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.

There shall be such number of Hearing Officers for the Family Docket of the 15th Judicial District Court as authorized by the District Judges.

Criminal matters shall be allotted to Divisions “A”, “B”, “C”, “D”, “E”, “F”, “G”, “I”, “J”, “K”, and “L” in the manner set forth in Appendix 14.0A.

#### BROADCASTING, TELEVISIONING, RECORDING, OR TAKING OF PHOTOGRAPHS IN THE COURTROOM

Pursuant to Code of Judicial Conduct Canon 3A(9) and Rule 6.1 of the Uniform Rules for District Courts, the broadcasting, televising, recording, or the taking of photographs in the courtroom and areas immediately adjacent thereto and the use of electronic devices and recording devices in the courtroom are expressly prohibited.

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

**Chapter - 3 DUTY JUDGE**

**Rule - 3.2** (1) There shall be a Duty Judge in each Parish, on each Judicial Day, from 10:00 A.M. until 3:00 P.M..  
**Appendix - 3.2** However, the Duty Judge in Acadia and Vermilion Parishes must be physically present until noon:  
thereafter, the Duty Judge shall have the option to be physically present or be available by electronic  
method for affixing signatures until 3:00 P.M. No Duty Judge shall sign an order granting a  
continuance in a case outside his or her division, unless specifically authorized by the presiding Judge.  
Duty Judges In addition, all motions to withdraw as counsel must be presented to the Judge of the division in which  
the case is pending.

As amended March 6,  
2002, April 30, 2004 and  
April 1, 2009; amended  
effective February 24,  
2015; amended effective  
February 5, 2019;  
amended effective  
September 29, 2020.

#### JUDICIAL COMMITMENTS

Judicial commitments will be heard by the duty or backup Judge. Otherwise, a Judge from the Parish of Venue shall take up the matter.

#### DUTIES OF COMMISSIONER See R.S. 13:714, et seq.

Sign the duty basket with the exception of the following; to wit: (1) motions for new trial; (2) motions for a continuance; (3) motions for withdrawal of counsel (unless the motion states that opposing counsel has no opposition); (4) motions for appeal and, (5) judgments, (including Orders of an adjudicatory nature). Motions for continuances and/or withdrawal of counsel shall be subject to the provisions under civil and criminal rules.

Fix bail and hear related matters, as follows: The commissioner shall be primarily responsible for fixing bail. Bail shall be fixed in accordance with policies established by the commissioner, having due regard for constitutional and statutory requirements.

Hold 72-hour hearings in each parish of the district on such dates and times as set by the Commissioner in keeping with the time requirements set forth in C.Cr.P. Art. 230.1.

Make probable cause determinations in each parish of the district in accordance with the requirements of C.Cr.P. Art. 232.

In Lafayette Parish, make recommendations in traffic matters, with consent of the parties, subject to approval by the judge.

In Lafayette Parish, qualify the jury pool, grant exemptions, and hear and determine excuses.

Act as arbitrator for Small Claims.

Make adjudications and/or recommendations in civil matters as follows:

a) Conduct any or all proceedings in any civil matter pending before the Court and order the entry of judgment in any case where the parties consent to the matter being heard and adjudicated by the Commissioner. Each Judgment so entered shall be signed by the Judge of the Division to whom the case was allotted. If the parties consent to a matter being adjudicated by the Commissioner, the parties and their attorneys of record, if any, shall execute a Consent Referral and file same into the record. A judgment rendered in accordance with this section may be appealed to the Court of Appeal in the same manner as an appeal from any other Judgment of the Court.

b) If any party does not consent to the matter being heard and adjudicated by the Commissioner, then the Commissioner may still be designated to conduct any trial or hearing and submit to the judge of the appropriate division proposed findings of fact and recommendations for the disposition thereof of any matter pending before the court. In such cases, the Commissioner shall file his proposed findings and recommendations with the court, and a copy shall be mailed, postage prepaid, to all parties or their counsel of record. Within ten days after transmittal of such copy, any party may file an objection to the recommendations, specifying exactly which proposed findings of fact are objected to. The referring judge shall make a de novo determination of any findings or recommendations made by the Commissioner and may also receive further evidence or recommit the matter to the Commissioner with instructions.

Handle such other miscellaneous duties as may be assigned by the Judges, including, but not limited to, receiving the report of the Grand Jury, signing search warrants, arrest warrants, juvenile probable cause affidavits, forfeiture motions, transportation writs, and such other orders as may need signing.

Perform ministerial duties including but not limited to, certifying notarial candidates for appointment, officiate at marriage ceremonies, and such other duties as may be assigned by the District Court Judges.

#### JUDICIAL REVIEW AND APPEALS

Whenever a matter filed with this court, whether on judicial review or appeal, it shall be the duty of both the clerk and the attorney filing the matter to immediately notify the judge of the division to which the case has been allotted in writing of that fact.

In matters before the Court on judicial review or appeal, when an answer has been filed and/or the record to be reviewed is complete, it shall be the duty of the Clerk to immediately transmit the record to the judge of the division to which the case has been allotted.

#### CONTINUANCES

No Judge shall sign an order granting a continuance in a case outside his or her division, unless specifically authorized by the presiding Judge.

#### EX PARTE APPLICATIONS

Whenever application is made ex parte for an order, counsel presenting it shall state whether any previous application has been made for such order, and if made, to what judge, and what order or decision was made thereon, and what new facts, if any, are claimed to be shown, and why the application is not renewed to the Judge who originally refused the order.

Any motion for an extension of time shall contain a statement as to whether this motion is for the first, second, or subsequent extensions requested.

#### WITHDRAWAL OF SUIT RECORD

1. Any attorney admitted to practice law in Louisiana and maintaining an office within Vermilion or Acadia Parish may withdraw a court record from the Clerk of the Parish where the attorney maintains his/her office of an open or closed civil case without an order of Court. Paralegals, secretaries, law clerks, investigators and other representatives may withdraw records on behalf of attorneys upon presentation of a written request by the attorney to the Clerk of Court. These representatives shall be subject to all rules treating the subject of withdrawal of records.

2. All other persons must secure a court order for withdrawal of a court record. A written receipt shall be given to the Clerk by the person withdrawing the record.

3. All withdrawn suit records shall be returned to the Clerk's office within five (5) days after withdrawal, subject, however, to the exception set out in this rule.



**Rule - 4.1**

Court Administrator  
15th Judicial District Court  
P. O. Box 3996  
Lafayette, LA 70502-3996  
Telephone: (337) 269-5761  
E-Mail: CRoy@15thjdc.org

**Appendix - 4.1**

Judicial Administrators  
and Clerks of Court

Amended effective May  
12, 2020.

Hon. Robert “Bobby” Barousse                      [www.acadiaparishclerk.com/](http://www.acadiaparishclerk.com/)  
Clerk of Court  
Parish of Acadia  
P.O. Box 922  
Crowley, LA 70527  
Telephone: (337) 788-8881  
Facsimile: (337) 788-1048

Hon. Louis J. Perret                                      [www.lafayetteparishclerk.com](http://www.lafayetteparishclerk.com)  
Clerk of Court  
Parish of Lafayette  
P.O. Box 2009  
Lafayette, LA 70502  
Telephone: (337) 291-6400  
Facsimile: (337) 291-6392  
E-Mail: [clerkofcourt@lpclerk.com](mailto:clerkofcourt@lpclerk.com)

Hon. Diane Meaux Broussard                      [www.vermilionparishclerkofcourt.com/](http://www.vermilionparishclerkofcourt.com/)  
Clerk of Court  
Parish of Vermilion  
100 North State Street, Suite 101  
Abbeville, LA 70510  
Telephone: (337) 898-1992  
Facsimile: (337) 898-9803  
E-Mail: [vermilionclerk@cox-internet.com](mailto:vermilionclerk@cox-internet.com)

**Title - I**

**Chapter Title - Courtroom Use, Accessibility and Security**

**Chapter - 5**

**Rule - 5.1**

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

**Appendix - 5.1A**

Americans with  
Disabilities Form

**Title - I**

**Chapter Title - Courtroom Use, Accessibility and Security**

**Chapter - 5**

**Rule - 5.1**

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

**Appendix - 5.1B**

Request for Interpreter  
and Order

**Title - I**

**Chapter Title - Courtroom Use, Accessibility and Security**

## Chapter - 5

### Rule - 5.1

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

### Appendix - 5.1C

Interpreter's Oath

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## Title - I

### Chapter Title - Indigents and In Forma Pauperis

## Chapter - 8

### Rule - 8.0

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX8.0.PDF>

### Appendix - 8.0

In Forma Pauperis  
Affidavit

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## Title - II

### Chapter Title - Procedure

## Chapter - 9

### ALLOTMENT OF CASES

### Rule - 9.3

Before allotment any judge may issue orders, including but not limited to preliminary and interlocutory orders, writs, executory process, pauper orders, and in his discretion, grant an extension of time in which to plead. In any non-Family Docket suit in which there is a request for a Temporary Restraining Order, the suit must be filed and assigned to a division before any Order may be submitted to a Judge for signature. Orders in such cases should be signed by the assigned Judge only. A Judge may enter an order granting a TRO outside his or her division only in an emergency situation where the assigned Judge cannot be contacted.

### Appendix - 9.3

Allotments: Signing of  
Pleadings in Allotted and  
Non-Allotted Cases

Amended effective July  
14, 2015; amended  
effective January 1,  
2017.

Once the case has been allotted, all preliminary matters and trial on the merits shall be taken up by the judge of the division to which the case is allotted. Any matter which requires expedited hearing by virtue of specified legal delays may be heard by any judge who will be sitting in the parish where the suit is pending, within the period of the legal delays, by consent of the judge who has been allotted the case. Any uncontested matter, preliminary default or confirmation of default may be taken up before any division. Once a case has been consolidated, that case shall remain in the newly designated division to which it was transferred by virtue of the consolidation, regardless of whether any of the other matters with which it has been consolidated are settled, dismissed, or otherwise resolved.

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## Title - II

### Chapter Title - Procedure

## Chapter - 9

Any document filed with the Court or sent to a judge's chambers must be sent to all counsel by the same method used (hand-delivered, mail, email, fax).

### Rule - 9.4

### CLERK'S CERTIFICATE OF PAYMENT OF COSTS

### Appendix - 9.4

Presentation of Pleadings  
to the Court and Filing  
with the Clerk of Court

No motion to dismiss shall be presented for signing unless a certificate of payment of costs is attached to it at time of submission, certifying that the Clerk has received payment for costs of the matter.

### SIGNING OF PLEADINGS

Amended effective  
January 1, 2017;  
amended effective April  
23, 2020.

Anyone filing initial pleadings with the court, whether self-represented (pro se) or as counsel of record, shall include on such pleadings, under service information, the telephone number and email address of each defendant, if known.

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**Title - II**                      **Chapter Title - Procedure**

**Chapter - 9**

**Rule - 9.6**                      [http://www.lasc.org/rules/supreme/Louisiana\\_Civil\\_Case\\_Reporting\\_Form.pdf](http://www.lasc.org/rules/supreme/Louisiana_Civil_Case_Reporting_Form.pdf)

**Appendix - 9.6**

Louisiana Civil Case  
Reporting

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**Title - II**                      **Chapter Title - Procedure**

**Chapter - 9**

**Rule - 9.12**                      <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12A.pdf>

**Appendix - 9.12A**

Notice of Limited  
Appearance – Family  
Law Cases

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**Title - II**                      **Chapter Title - Procedure**

**Chapter - 9**

**Rule - 9.12**                      <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12B.pdf>

**Appendix - 9.12B**

Notice of Limited  
Appearance – Non-  
Family Law Cases

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**Title - II**                      **Chapter Title - Procedure**

**Chapter - 9**

ASSIGNMENT OF CASES FOR TRIAL-- SCHEDULING ORDER--  
SCHEDULING CONFERENCES ARE NOT REQUIRED IN THE  
15TH JUDICIAL DISTRICT COURT

**Rule - 9.14**

**Appendix - 9.14**

Fixing for Trial or  
Hearing; Scheduling  
Orders; Contact with  
Jurors

A. Matters may be fixed for trial or hearings on oral or written motion made in Open Court or in chambers; provided, however, that no motion to fix for trial may be made or filed until 120 days after issue has been joined (with all parties). Return dates for rules nisi shall be fixed by the Court in accordance with law.

WITH AMENDMENTS  
OF 06/09/02 AND  
4/30/04

B. Upon receiving a request for the fixing of a case on the merits, the Clerk shall immediately forward to all counsel of record and to all unrepresented parties a notice of the trial date of the suit, together with the following scheduling order form:

DEADLINE:

FOR:

120 days prior to trial date

1. JOINDER OF PARTIES

75 days prior to trial date

2. EXPERT WITNESSES

Each part shall file into the record and provide opposing counsel with a list of the name, address, area of testimony and expertise of each expert witness and shall provide a written report prepared and signed by the expert which shall comply with C.C.P. art. 1425(B) and include a list of qualifications of the witness, including all publications authored by the witness within the preceding ten years, the compensation to be paid the witness and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years. Any party may petition the court to modify this requirement, upon good showing, which petition must be filed 10 days prior to the deadline for providing this information.

If the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party, the information listed above must be furnished within 30 days after the disclosure made by the other party in compliance with C.C.P. art. 1425(C).

60 days prior to trial date

3. (a) AMENDMENT OF PLEADINGS

(b) FINAL EXCHANGE OF COPIES REPORTS OF TREATING PHYSICIANS (It is anticipated that, throughout discovery, each party shall continuously [within five days of Receipt] exchange copies of said reports.)

(c) EXCHANGE OF SPECIFIC WITNESS AND EXHIBIT LISTS

(i) Each party shall list the name, address and area of testimony of each witness. The witness list shall include rebuttal witnesses, reasonably anticipated.

(ii) The party listing the witness bears a responsibility of producing that witness at trial. Opposing parties may call the said witness to testify.

(iii) Each party shall list separately and with particularity each exhibit.

(iv) Should a party fail to introduce its listed exhibit, an opposing attorney may

introduce the exhibit.

- (v) Absent good cause, no witness or exhibits shall be allowed which are not properly identified and listed.

Four (4) weeks prior to trial 4. (a) DISCOVERY COMPLETED

(b) DISPOSITIVE MOTIONS COMPLETED

(c) JURY OR BENCH TRIALS

Pretrial conferences are pre set for jury trials scheduled in certain divisions. If pretrial conferences are desired in any other matter, any party may schedule same with the judge's office. Trial counsel for each party shall attend the conference. No substitutions of counsel will be allowed without prior approval by the court. Counsel shall come to the conference fully prepared to discuss settlement of the case and all other preliminary matters.

5. In the event that a pre trial conference scheduled, then counsel for each party shall file pre trial stipulations which shall be due three working days prior to the pre-trial conference. A copy shall be delivered to the home office of the trial judge.

6. EXPERT DEPOSITIONS COMPLETED

7. MOTIONS IN LIMINE

Eight (8) days prior to trial 8. NON JURY TRIALS

Each party shall prepare a pre-trial memorandum which shall include a statement setting forth the length of the trial. The original memorandum shall be delivered to the home office of the trial judge. Copies shall be provided to all counsel.

9. JURY TRIALS

Each party shall prepare a short and concise statement of the case which shall include an estimate as to the length of the trial. Said statement, together with any requested jury instructions and interrogatories, shall be delivered to the home office of the trial judge. Copies shall be provided to all counsel.

Seven (7) days prior to trial

10. MARK AND EXCHANGE EXHIBITS AND DEMONSTRATIVE AIDS

11. EDITING OF TRIAL DEPOSITIONS/FILING OBJECTIONS

12. NON JURY TRIALS: SUBMIT TRIAL DEPOSITIONS TO THE JUDGE'S

## CHAMBERS

### Ten (10) days prior to trial 13. SETTLEMENT NEGOTIATIONS

All counsel shall confer personally at least ten days prior to trial in order to confect stipulations and discuss settlement. of the case.

### PRE-TRIAL CONFERENCES

Section A. In any civil action, upon request of counsel for plaintiff or defendant, or at its own direction, the Court may order the attorneys for the parties to appear before it, in person or by phone, at the discretion of the court, for a pre-trial conference to consider the following:

- (a) The simplification of the issues.
- (b) The necessity or desirability of amendments to the pleadings.
- (c) The possibility of obtaining admission of facts and the document which will avoid unnecessary proof.
- (d) The limitation of the number of expert witnesses.
- (e) Such other matters as may aid in the disposition of the action.

Section B. During such conferences the parties are expected to disclose their respective positions and to stipulate as to all matters not at issue. The Court will have such stipulations noted in order to conserve time at trial. The parties at pre-trial conferences will likewise be required to state objections or lack thereof to any exhibit, document, photograph or other such evidence which another party to the suit proposes to offer in evidence.

Section C. At pre-trial conferences the Judge, in his discretion, may seek to advise and assist the parties to a voluntary adjustment of their differences.

Section D. The Court should not be expected, at any stage of the proceedings, to force any compromise upon reluctant counsel or parties, but it is the intent of this rule to expedite final and just disposition of all cases. Consequently, counsel will be expected to appear at pre-trial conferences knowing what authority, if any, their respective client will grant with respect to resolving the differences between the parties. If there is any reasonable prospect of compromise, counsel are expected to exert reasonable efforts for that end prior to and during pre-trial conference, and not wait until it is too late for the Court to otherwise utilize the time set aside for the trial of the case.

### PRE-TRIAL BRIEFS

Section A. All briefs and memoranda shall set forth the date and place of trial in the first sentence of the first paragraph. All pre-trial briefs shall be delivered to the presiding judge at his or her home office.

Section B. Except for good cause shown, a pre trial brief shall be submitted to the presiding judge by both parties to a trial on the merits at least eight (8) working days prior to trial. It will not be necessary to file such a brief in connection with suits on notes or open accounts unless there are unusual or complicated issues of law or fact to be considered. Copies of briefs should set forth the facts expected to be proved, the issues involved, and the law pertaining thereto, in that order. Supplemental briefs may be filed at any time. Failure to file such brief may result in such disciplinary action as the Court may deem necessary.

### JURY TRIALS

A. The Clerk of Court shall assign jury trials for hearing in accordance with the instructions of the Court. No case shall be fixed for trial more than one year in advance, except upon express permission of the judge to whom the case is assigned.

B. Requested special jury charges must be submitted to the Court in writing, together with supporting authorities, eight (8) days prior to trial in accordance with the scheduling order set forth herein. However, the Court in its discretion may allow the filing of additional special charges at any time prior to closing arguments.

A. During the weeks when a Grand Jury or Petit Jury is scheduled to be convened for any parish, criminal matters shall have preference over civil matters even though a jury may not actually be convened during those weeks.

B. In the trial of criminal cases, jury cases shall have preference over non-jury cases, unless otherwise ordered by the Court.

#### EXPROPRIATION

Expropriation suits shall be set as a preferential fixing on the Civil Docket. The Clerk shall consult with the presiding Judge of the Division in which the case is lodged.

#### DISPOSITION OF CONSOLIDATED CASES

Once a case has been consolidated, that case shall remain in the newly designated division to which it was transferred by virtue of the consolidation, regardless of whether any of the other matters with which it has been consolidated are settled, dismissed or otherwise resolved.

#### REQUEST FOR INTERPRETER

A. Should any person need an interpreter for purposes of any proceeding before the Court, it shall be the responsibility of such person, either personally or through his or her attorney, to request an interpreter by completing the Interpreter Request Form set forth in Appendix 5.1B, no later than 20 days prior to the Court proceeding for which the interpreter is needed.

B. The Interpreter Request Form shall be filed with the Clerk of Court and presented to the Judge presiding over the matter in which an interpreter has been requested. If the request is approved, the Clerk of Court shall then secure an interpreter from the list of interpreters approved by the Judges.

C. If the interpreter is needed by a party or witness who is deaf or severely hearing impaired, the setting and payment of fees of such interpreter shall be in accordance with C.C.P. art. 192.1.

D. In all other cases, the cost of an interpreter shall be paid from the Criminal Court Fund, if incurred in conjunction with a criminal proceeding or shall be assessed as court costs and paid by the party or parties cast with court costs if incurred in conjunction with a civil proceeding.

E. If an interpreter is needed for a hearing impaired member of the petit jury venire, the procedure set forth in C.Cr.P. art. 401.1 shall apply.

F. All interpreters providing services in any court proceeding shall:

1. Take an oath or affirmation that he or she will make a true interpretation to the person needing interpretation services of all the proceedings of the case in the language understood by said person and that he or she will repeat, in as literal and exact manner as possible, said person's answers and statements to the Court, counsel or jury, to the best of his or her skill and judgment.

2. Shall not comment to, counsel, advise or make any other statements to the person needing interpretation, other than exact and literal translation of the proceedings.

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### **Title - III**

### **Chapter Title - Allotment of Cases**

### **Chapter - 14**

### **ALLOTMENT OF CAPITAL CASES**

### **Rule - 14.0**

A. Capital cases are randomly allotted among Divisions "A", "B", "C", "D", "E", "F", "G", "I", "J", "K" and "L" (Divisions "H" and "M" which handle the domestic docket only are excluded), using the following method:

### **Appendix - 14.0A**

System of Random Allotment of Criminal Cases (Other than Traffic, Wildlife, and Appeals from Lower

To maintain parity between the 11 divisions, the computer uses allocations similar to a "Bucket" System. All divisions have the same bucket size of 3 for a total of 33 slots. This means that 3 cases can be assigned to a division (bucket) before it is empty. Only divisions whose buckets are not yet empty are available to be randomly selected to a case. As cases are assigned to a division, an available slot is removed from that division's bucket. After a capital case is resolved or if it is reduced to a non-capital

Courts)

With amendments through 06/11/02; As amended May 1, 2003; April 30, 2004; April 1, 2009; January 1, 2010; amended effective June 1, 2011; amended effective February 7, 2012; amended effective April 19, 2013; amended effective May 21, 2013; amended effective February 24, May 19 and October 1, 2015; amended effective April 10, 2019.

offense or removed from a division due to recusal or otherwise, the division to which that case was allotted is incremented by one slot.

B. Whenever a capital case or cases are allotted, and subsequent thereto are dismissed by the state, and the same defendant is re-indicted under substantially the same operative facts, then the allotment of that case will remain with the judge the case was originally allotted to.

C. Whenever one defendant is charged with two or more capital cases arising out of facts that they could have been joined in a single indictment, and the state dismisses the indictments, then subsequently re-indicts the defendant in a single indictment, then the allotment of that case will remain with the judge the original case was allotted to.

D. When multiple defendants are tried together, the first docket case shall determine which divisions shall handle the trial and pretrial motions. If severed, if more than one case remains as a capital case, the division to which the case was originally allotted shall retain the case of the defendant whose name would fall first in an alphabetical listing, by last name first. All other cases (defendants) shall be randomly re-allotted. If, after severance, only one case remains as a capital case, the division to which the case was originally allotted shall retain the capital case.

E. Once a capital case has been set for trial, if the state chooses to amend the charge to a lesser offense, the trial date shall not be set aside solely by reason of the amendment.

## ALLOTMENT NON-CAPITAL CRIMINAL CASES

### LAFAYETTE PARISH

All Lafayette Parish juvenile matters (including Child in Need of Care cases) will be allotted to two judges.

These sections shall be known as Juvenile 1 and Juvenile 2. On or before March 25, 2015, all pending Child in Need of Care cases in J-2 (Division "E") will be reassigned to J-1 (Division "I"), and all new Child in Need of Care cases will be allotted to J-1.

On or before March 25, 2015, all delinquent matters pending in J-1 will be reallocated to J-2, and all future juvenile matters will be allotted to J-2.

Any pending delinquent matters where a conflict exists with J-2, those cases will remain with J-1.

If a matter must be heard on an expedited basis (72 hour hearings) and the allotted judge is not available, the other Lafayette juvenile judge or the Lafayette duty judge will handle those matters.

All adult felony criminal cases in Lafayette Parish shall be allotted to Tracks 1, 2, 3, 4, and 5. A single judge shall be assigned to each track and will, therefore, be allotted the cases in that track. All cases in which the offender is charged with Issuing Worthless checks shall be allotted to Track 4. All pending IWC cases will be moved to Track 4, effective June 1, 2011. Felony drug cases will be allotted to Track One. However, if an incident results in a drug offense, along with other felony offenses, those non-drug felonies alleged to have been committed at the same time and as part of the same incident will follow the felony drug case and are allotted to Track 1. The allotment of non-drug non-IWC felonies will be based upon date of offense, with a rotation which runs on a Sunday through Saturday schedule. Under the current system, which will continue, and will add Track 5 beginning with JUNE 1, 2011, the rotation FOR NON-DRUG FELONIES WILL BE as follows:

May 29—June 4—Track 4  
June 5—June 11—Track 5  
June 12—June 18—Track 2  
June 19—June 25—Track 3  
June 26—July 2—Track 4  
And so on in rotation.

The allotment system will continue utilizing this four week rotation. For cases allotted to Track 5 between August 14, 2011 and December 31, 2011, each will be assigned randomly to Track 2 or 4 as a secondary Track. Each will be given a pretrial date in that secondary Track and a Trial date in Track 5. The secondary track will have full authority to act in those cases until January 1, 2012. BEGINNING JUNE 1, 2011, ALL DRUG CASES, REGARDLESS OF DATE OF COMMISSION, WILL BE ALLOTTED TO TRACK 1. All pending drug cases allotted to Track 3 prior to June 1, 2011, will remain in Track 3 through resolution.

If a Defendant is simultaneously charged with multiple offenses committed over the course of more than one date, the date of commission of the earliest offense shall govern the allotment. If a Defendant has a pending case in a track and commits a new offense resulting in new charges, those new charges, whether felony or misdemeanor, shall be transferred to the felony track where charges are already pending.

All Traffic/Wildlife & Fisheries/Misdemeanor cases in Lafayette Parish are allotted to the Traffic/Wildlife & Fisheries/Misdemeanor Docket. The judge sitting in Lafayette Track 1 shall have 10 weeks of felony and 2 weeks of misdemeanor each year. The judges sitting in Lafayette Tracks 2, 3, 4 and 5 shall have 11 weeks of felony and 1 week of misdemeanor each year. Tracks 2, 3, 4 and 5 and Juvenile 1 and Juvenile 2 will also have an extra week of criminal every other year, during which week they shall preside over Lafayette misdemeanor cases. The judges assigned to Acadia tracks A-2 and A-3 shall preside over one week of Lafayette misdemeanor cases every other year. The judges assigned to Vermilion tracks V-1 and V-2 shall preside over one week of Lafayette misdemeanor cases every other year.

#### SPECIALTY COURTS

Cases assigned to the Therapeutic Drug Court, Re-entry Court, and Mental Health Court are allotted to Division "B". Cases assigned to Juvenile Drug Court are allotted to Division "E". Cases assigned to Sobriety Court and Family Preservation Court are allotted to Division "I".

Pursuant to the authority provided by Articles 893 and 894 of the Code of Criminal Procedure and LSA R.S. 13:5301 et seq., Division "B" of the 15th Judicial District Court is authorized to administer an Adult Therapeutic Drug Court Docket. The court's Drug Court Program is called Focused Intervention through Sanctions and Treatment (F.I.S.T.).

#### VERMILION PARISH

All adult felony criminal cases in Vermilion Parish shall be randomly allotted to Tracks V-1 or V-2. Cases shall be randomly allotted based upon date of offense. A single judge shall be assigned to each track and will, herefore, be allotted the cases in that track. If a Defendant has a pending case in a track and commits a new offense, resulting in new charges, those new charges shall be transferred to the track where charges are already pending. The judges assigned to Tracks V-1 and V-2 will also preside over all misdemeanor and juvenile matters in Vermilion Parish.

#### ACADIA PARISH

All adult felony criminal cases in Acadia Parish shall be randomly allotted to Tracks A-1 or A-2, using the clerk of court's random allotment software. Cases shall be randomly allotted at the time of filing of the bill of information. A single judge shall be assigned to each track and will, therefore, be allotted the cases in that track. Cases still pending in Track A-1 as of December 31, 2011 shall be randomly allotted to Track A-2 or A-3, which shall be re-designated as Tract A-1 and A-2. If a Defendant has a pending case in a track and commits a new offense, resulting in new charges, those new charges shall be transferred to the track where charges are already pending. The judges assigned to Tracks A-2 and A-3 will also preside over all misdemeanor and juvenile matters in Acadia parish.

#### BACK UP JUDGES IN ALL PARISHES (Effective 1/1/2012)

In Lafayette Parish, all cases assigned to Track 3 shall be secondarily assigned to Track 5 and vice versa, for purposes of assistance with the trial docket. All cases assigned to Track 4 shall be secondarily assigned to Track 2 and vice versa, for purposes of assistance with the trial docket. In Vermilion Parish, all cases assigned to Track V-1 shall be secondarily assigned to Track V-2 and vice versa, for purposes of assistance with the trial docket. In Acadia Parish, all cases assigned to Track A-2 shall be secondarily assigned to Track A-3 and vice versa, for purposes of assistance with the trial docket. When multiple cases are ready for trial on a trial docket, the judge of the track secondarily assigned to that docket may preside over the jury trial of any cases remaining on the docket after the primary judge has commenced jury selection/trial of the first priority case. In such case, the secondarily assigned judge shall not reconsider any pretrial ruling previously rendered by the primary judge.

#### RECUSAL

If a motion to recuse, containing a valid ground for recusation, is filed in a criminal proceeding, and if the judge does not recuse himself or herself, then the recusal hearing shall be randomly allotted to one

of the remaining 12 judges, including the Family Court judges. If a motion to recuse is granted pursuant to the Code of Criminal Procedure, then the case shall be randomly reallocated to another criminal track within the same parish in which the case is pending. If all judges in a parish have been recused, the case will be randomly reallocated among all judges sitting in criminal felony tracks.

In all parishes, if both juvenile judges must recuse themselves from a case, the case will be reallocated among all judges who preside over criminal cases.

#### HABEAS CORPUS PETITIONS

All criminal habeas corpus petitions filed on behalf of a defendant who is being detained by virtue of a conviction or the filing of a Bill of Information or Indictment shall be heard by the judge presiding in the division of the Court in which the matter is pending or the conviction was obtained. All criminal habeas corpus petitions filed on behalf of a defendant who is not being detained by virtue of a conviction or the filing of a Bill of Information or Indictment shall be heard by the judge having the next scheduled writ docket in the parish in which the Defendant is detained.

#### ENFORCEMENT OF PAYMENT OF FINES, COSTS, RESTITUTION AND FEES

Pursuant to La. C.Cr.P. art. 886 and La. R.S. 47:299.1-299.20, enforcement of the payment of fines, fees, court costs and restitution in criminal cases in the Fifteenth Judicial District may be pursued by the filing of a claim of offset. The claim shall be made to the secretary of revenue against any amounts refundable to a defendant because of overpayments of Louisiana individual income taxes.

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### **Title - III**

#### **Chapter Title - Allotment of Cases**

#### **Chapter - 14**

In Lafayette Parish, all traffic offenses and wildlife offenses are allotted to the Commissioner.

#### **Rule - 14.0**

In Vermilion and Acadia Parishes, all traffic offenses and wildlife offenses are allotted to the traffic/wildlife docket. The Judges of all Divisions, with the exception of Divisions M and H, hear cases on this docket, on a rotating basis.

#### **Appendix - 14.0B**

Random Allotment  
Traffic Offenses,  
Wildlife Offenses, and  
Appeals from Courts of  
Limited Jurisdiction)

For handling of appeals from lower Courts, all cases are randomly allotted among the Judges of all divisions, with the exception of Divisions M and H.

#### APPEALS FROM CITY COURT TO DISTRICT COURT

WITH AMENDMENTS  
OF 3/07/02

A. A transcript of the proceedings in City Court must be submitted on the appeal rather than recordings thereof.

B. The following matters and no others shall be considered on appeal:

(1) An error designated in the assignment of errors; and

(2) An error that is discoverable by a mere inspection of the pleadings and proceedings and without inspection of the evidence.

C. Upon the lodging of the appeal, the Clerk of this Court shall notify the appellant and/or his counsel that the appellate record has been lodged with this court and that briefs or memoranda thereon shall be filed within twenty (20) days thereafter.

D. Appellant shall submit a brief or memorandum to this court within twenty (20) days of lodging the appeal. The prosecuting attorney of the court from which the appeal is taken shall have ten (10) days thereafter to submit an answering brief or memorandum. Unless otherwise ordered by the Court, all appeals shall be decided on the briefs submitted.

E. If no assignments of error are included in the record lodged with this court only errors patent on the face of the record will be reviewed.

F. Appeals from City Court shall be subject to random allotment among all Divisions, with the exception of Divisions H and M.

G. A certified copy of the minute entry indicating the final determination made by the reviewing court shall be sent to the Judge and/or Clerk of the City Court from which the appeal was taken. This notice should be sent within fifteen (15) days of rendition of the judgment.

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**Title - III**

**Chapter Title - Allotment of Cases**

**Chapter - 14**

Rule 14.1 is hereby adopted.

**Rule - 14.1**

**Appendix - 14.1**

Allotment - Defendant  
with More than One  
Felony Case

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**Title - III**

**Chapter Title - Assignment of Cases and Preliminary Motions**

**Chapter - 15**

**FIXING AND TRIAL OF CRIMINAL CASES IN LAFAYETTE PARISH ONLY**

**Rule - 15.0**

The defendant should be notified of the pre-trial (plea) day at the Arraignment. A defendant who is incarcerated on the date of arraignment shall be assigned the earliest available pre-trial date for the track to which his case is allotted, regardless of the number of cases already fixed. The defendant will be served with a trial date at the pre-trial appearance date. Except upon special order of the Court, no defendant who has appeared on a pre-trial date shall be reset for a subsequent pre-trial date.

**Appendix - 15.0**

Assignment of Cases,  
Filing of Motions, Pre-  
Trial and Status  
Conferences

**FIXING AND TRIAL OF CRIMINAL CASES IN ACADIA AND VERMILION PARISHES ONLY**

WITH AMENDMENTS  
OF 3/07/02; amended  
effective June 30, 2009;  
amended effective June  
1, 2011; amended  
effective January 1,  
2016.

In the Parishes of Acadia and Vermilion, the District Attorney, or his assistant, will certify and send to the Clerk of Court a list of cases ready for trial. The Clerk of Court shall, at least 45 days prior to the trial date, send a copy of the docketed cases to the District Attorney or his assistant, who will promptly prioritize the cases in accordance with State v. Simpson.

**FIXING AND TRIAL OF CRIMINAL CASES IN LAFAYETTE, ACADIA AND VERMILION PARISHES**

The Clerk of Court shall, at least 45 days prior to the trial date, send a copy of the docketed cases to the District Attorney or his assistant, who will promptly prioritize the cases in accordance with State v. Simpson.

The District Attorney, or his assistant, shall submit the prioritized order of trial to the Clerk for notice to counsel at least 30 days prior to trial. All defendants shall be given adequate notice of the trial fixing and the order in which felony cases will be called for trial. No additions or deletions, nor any change in the order of cases fixed for trial shall be made to any felony trial docket except by order of the Court, pursuant to joint motion by both the State and the Defense. All scheduled felony cases are to be called for trial on the Monday of each criminal week. Witnesses are to be subpoenaed the same day.

The District Attorney shall advise the Sheriff, through the Chief Bailiff, of which Parish Prisoners or others shall be required for court, reasonably in advance of court. Preferential fixings in felony cases shall be made only upon good cause shown of critical need due to the age, infirmity or unavailability of a party or material witness. This rule shall not be applicable to first degree murder cases.

**DISCOVERY**

In Lafayette Parish, those Assistant District Attorneys handling discovery through an open file procedure will complete that process prior to the scheduled pre-trial conference. Defense lawyers will

communicate that information to their clients prior to the pre-trial conference. All discovery should be completed prior to the pre-trial conference.

All counsel shall dispose of all pending pre-trial motions, not requiring evidence or argument, at the time of the pre-trial. Counsel urging a pre-trial motion requiring evidence or argument should notify opposing counsel, at least 10 days prior to the pre-trial, that a specified pre-trial motion will require an evidentiary hearing or argument, so as to facilitate the attendance of witnesses and to allow for proper preparation and disposition of such pre-trial motion at the pre-trial. Otherwise, the Court shall have the discretion to allow pre-trial motions to be referred to the date of the trial or to schedule a later specific date for the handling of such pre-trial motions. In the case of the latter, and the trial date must be continued to facilitate the evidentiary pre-trial motion, the defendant shall be personally notified of the evidentiary pre-trial motion date and a new trial date, at the pre-trial.

#### REJECTION OF PLEA BARGAIN

When the Court informs the Clerk that it will not accept a plea bargain proposed, the Clerk shall note that in the record. Counsel in the case shall advise any Judge considering the same plea bargain of the rejection.

#### USE OF AUDIO/VISUAL ELECTRONIC EQUIPMENT

Please see new Appendix 15.3 (“Court-Specific Rules on Simultaneous Appearance by a Party or Witness by Audio-Visual Transmission”).

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### **Title - III**

### **Chapter Title - Assignment of Cases and Preliminary Motions**

#### **Chapter - 15**

#### **Rule - 15.1**

#### **Appendix - 15.1**

Appointment of Counsel

(AS AMENDED  
THROUGH 9/10/2002)

After the Court makes the preliminary determination that the accused is or may be indigent, the Court shall refer the accused to the Indigent Defender's Office, which shall inquire further into the accused's economic status and upon determining that the accused is indigent, shall file in the record of the proceeding, a certification of indigency and order appointing counsel. Any oral or written statement made by the accused in the determination of his economic status shall be made under oath or an equivalent affirmation.

Any person whose application is denied may request a hearing to review the matter. A person found "partially indigent" under L.S.A. R.S. 15:148, shall have counsel appointed immediately, without regard to when he makes the payment to partially reimburse the cost of his defense.

#### APPOINTMENT OF COUNSEL AT 72 HOUR APPEARANCE

When audio visual electronic equipment is not available, a defendant may appear at his seventy two hour hearing by telephone as authorized by La. C.Cr.P Art. 230.1. The judge conducting such hearing by telephone shall insure that the hearing is conducted in the presence and within the hearing of the criminal records minute clerk who shall make a record thereof.

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### **Title - III**

### **Chapter Title - Assignment of Cases and Preliminary Motions**

#### **Chapter - 15**

#### **Rule - 15.2**

#### **Appendix - 15.2**

Alternative Method of  
Service on District  
Attorney

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**Title - III**

**Chapter Title - Arraignment and Pleas**

**Chapter - 18**

**Rule - 18.0**

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX18.0.PDF>

**Appendix - 18.0**

Waiver of Formal  
Arraignment and Pleas

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**Title - III**

**Chapter Title - Simultaneous Peremptory Challenges**

**Chapter - 19**

**SIMULTANEOUS EXERCISE OF PEREMPTORY CHALLENGES**

**Rule - 19.0**

Section 1: In any felony jury trial conducted in this Judicial District, the presiding judge may, in the judge's discretion, order the simultaneous exercise of peremptory challenges.

**Appendix - 19.0**

Simultaneous  
Peremptory Challenges

Section 2: If the judge elects to order simultaneous exercise of peremptory challenges, the judge shall inform the State and the defendant of this election prior to the seating of the first panel of prospective jurors.

Amended effective  
February 19, 2013.

Section 3: The judge shall require the State and the defendant to complete a form similar to the Juror Table which follows. The completed form shall be presented at side bar at the time jurors are tendered.

Section 4: If a prospective juror is challenged under both a challenge for cause and a peremptory challenge, and the court grants the challenge for cause, the challenging party shall not be deemed to have expended a peremptory challenge.

Section 5: If both the State and the defendant exercise a peremptory challenge as to a particular prospective juror, both sides shall be deemed to have expended a peremptory challenge.

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**Title - IV**

**Chapter Title - Application of Rules**

**Chapter - 22**

Family law matters are currently heard in Divisions H and M.

**Rule - 22.0**

Matters heard on the Family Docket shall include:

**Appendix - 22.0**

Courts That Have  
Created Specialized  
Divisions or Sections of  
Court That Handle  
Family Law Proceedings

(a) Suits for annulment, divorce and separation where there are minor children born of, adopted or legitimated by the marriage together with all related incidental matters as defined by La. C.C. Art. 105 and the community property partitions associated with the dissolution of said marriages.

(b) All child-related issues such as the establishment or disavowal of the paternity of children, filiation, custody, visitation, and support in non-marital cases, name changes for minor children, emancipations, or any other such matters as may be designated by the District Judges.

(c) All protective orders filed in accordance with R.S. 46:2131, et seq., and R.S. 46:2151 et seq., unless an annulment, separation or divorce action is pending and is a non-Family Docket matter.

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<b>Title - IV</b>	<b>Chapter Title - Notice and Exchange of Information</b>
<b>Chapter - 23</b>	
<b>Rule - 23.0</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0A.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0A.pdf</a>
<b>Appendix - 23.0A</b>	
Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders	

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<b>Title - IV</b>	<b>Chapter Title - Notice and Exchange of Information</b>
<b>Chapter - 23</b>	
<b>Rule - 23.0</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0B.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0B.pdf</a>
<b>Appendix - 23.0B</b>	
Family Law Affidavit (form)	

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<b>Title - IV</b>	<b>Chapter Title - Notice and Exchange of Information</b>
<b>Chapter - 23</b>	
<b>Rule - 23.0</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0C.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0C.pdf</a>
<b>Appendix - 23.0C</b>	
Hearing Information Order (form)	

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<b>Title - IV</b>	<b>Chapter Title - Notice and Exchange of Information</b>
<b>Chapter - 23</b>	
<b>Rule - 23.0</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0D.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0D.pdf</a>
<b>Appendix - 23.0D</b>	
Hearing Officer Conference and Information Order (form)	

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<b>Title - IV</b>	<b>Chapter Title - Notice and Exchange of Information</b>
<b>Chapter - 23</b>	
<b>Rule - 23.0</b>	



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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

The proceeding first docketed shall be the proceeding for all subsequent litigation in the case. Any subsequent filings shall be filed in said docket. Any subsequent suits between the same parties shall be given a new docket number and division, but shall be consolidated into the previous docket and division.

**Rule - 24.1**

**Appendix - 24.1**

Court-Specific Rules  
Concerning Prior or  
Multiple Filing of  
Pleadings

However, if the divorce and/or separation proceeding was pending in a Family Docket division and the case has been abandoned, the case shall be reallocated to a non-Family Docket division of the court if there are no longer any minor children born of, adopted or legitimated by the marriage.

Amended October 30,  
2015, effective October  
1, 2015. Amended  
November 20, 2016,  
effective January 1,  
2017.

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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.2**

**Appendix - 24.2**

Court-Specific Rules  
Concerning Allotment of  
Cases

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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.3**

**Appendix - 24.3**

Court-Specific Rules  
Concerning Walk-  
Through of Pleadings

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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.4**

**Appendix - 24.4**

Court-Specific Rules  
Concerning Appointment  
of Attorneys To  
Represent Absentee  
Defendants

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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

Any motion for an extension of time shall contain a statement as to whether the motion is for the first, second or subsequent extensions requested.

**Rule - 24.5**

**Appendix - 24.5**

Court-Specific Rules  
Concerning Extensions  
of Time To Plead in  
Family Law Proceedings

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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.6**

**Appendix - 24.6**

Court-Specific Rules  
Restricting the  
Preparation of Answers  
or Other Pleadings;  
Procedure When a Self-  
Represented Party Has  
Filed an Answer

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**Title - IV**

**Chapter Title - Procedure**

**Chapter - 24**

**Rule - 24.7**

**Appendix - 24.7A**

Court-Specific Rules  
Concerning Scheduling  
Hearings and Trials

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

All parties must have actual notice not less than 10 days before trial of a rule or on the merits, unless a shorter period of time is provided by law. This notice requirement does not apply to Hearing Officer Conferences or an expedited hearing on a rule to show cause seeking a mental health evaluation or a drug screen and/or a substance abuse assessment where the notice shall be reasonable.

A matter may be set for trial by either party, after all issues are joined. Counsel shall not submit a motion to set for trial without first making a good faith attempt to reach a mutual agreement with opposing counsel for the date of trial, and for such scheduling order as the parties may agree upon. In such event where mutual agreement is reached, the proposed trial date order shall be submitted to the Court for approval.

In the event the parties cannot agree regarding a date for trial, either party may submit to the Court a Motion to Set for Trial. The matter may be set for status conference which, at the judge's discretion may be conducted by telephone for the purpose of choosing a trial date.

Notice of the scheduled trial date shall be mailed by the clerk of court to all counsel of record or unrepresented parties.

In the event a matter that may be heard as a summary proceeding on rule day requires, or either party anticipates it shall require, the use of extensive witness testimony and/or introduction of exhibits, either party may request that the matter be set for trial on the Court's regular merits docket. The determination of whether such matter shall be set for trial in such manner shall be conducted in the same fashion as set forth above.

In any event, in any matter in which witnesses are expected to testify or exhibits introduced, the moving party and/or plaintiff shall provide a witness list and a copy of all exhibits reasonably expected to be introduced into evidence to opposing counsel or unrepresented party at least ten (10) days prior to the scheduled hearing or trial. The responding party and/or defendant shall provide a witness list and a copy of all exhibits reasonably expected to be introduced into evidence to opposing counsel or unrepresented party at least seven (7) days prior to hearing or trial.

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	ORDER OF BUSINESS
<b>Rule - 24.7</b>	A. The order of business on Family Docket rule days shall be as follows:
<b>Appendix - 24.7B</b>	(a) Filing of pleadings;
Court-Specific Rules Concerning Order of Business	(b) Judgments for signature, and judgments and opinions to be handled by the Court;
	(c) Motions and assignments of cases for trial;
	(d) Preliminary defaults;
	(e) Confessions of judgment, uncontested partitions and other matters except rules not at issue by answer or opposition;
Amended October 30, 2015, effective October 1, 2015.	(f) Entering judgments of divorce and confirmations of default under C.C. Articles 102 and 103;
	(g) Trial of rules, exceptions or cases fixed on the docket.

In Acadia and Vermilion Parishes, cases to be tried on the merits may be fixed on any day, but on Rule days the order of business set out above and the trial of rules and exceptions shall take preference, except in Lafayette Parish where no cases will be fixed for trial on the merits on Rule days.

B. On Family Docket Rule days in any Parish, there shall be a morning hour where confirmations of divorce, other uncontested divorce matters, or motions for drug screens and/or substance abuse evaluations or seeking a mental health evaluation may be taken up commencing at 9:00 a.m. until 10:00 a.m., before the Hearing Officer. There will be no court reporter present and no record made of the proceeding. The only record will be a minute entry by the minute clerk. The Hearing Officer shall render a written recommendation, and the parties shall assent or object to the recommendations at the conclusion of the hearing. If either party objects, the matter shall be fixed on the docket of the appropriate division for the matter to be heard de novo. The hearing of rules shall commence at 10:00 a.m. that day or on the next available rule docket of the appropriate division.

**RULE DAY**

A. There shall be a regularly scheduled civil docket for family court cases for the Parishes of Acadia and Vermilion at least once per month.

B. The Clerk in any Parish shall fix up to, but not exceeding forty (40) rules, exceptions, motions or other summary proceedings, on each Division's civil rule day docket.

C. Family Docket rule days for Division M in Vermilion Parish shall be on Tuesdays, and for Division H shall be on Wednesdays. Family Docket rule days for Division M in Acadia Parish shall be on Wednesdays, and for Division H shall be on Tuesdays.

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	
<b>Rule - 24.8</b>	A. If the parties mutually agree to continue a scheduled Hearing Officer Conference, the attorney(s) of record and any unrepresented party shall notify the office of the Hearing Officer in writing of the continuance so that the matter can be removed from the Hearing Officer's calendar.
<b>Appendix - 24.8A</b>	B. A copy of a contested motion to continue that would continue a scheduled Hearing Officer Conference shall be provided to the office of the appropriate Hearing Officer prior to its presentation to the Court for signature and said motion or judgment shall contain a certificate signed by the party or his counsel verifying that a copy has been sent to the opposing party or his counsel and that the office of the Hearing Officer has been supplied with a copy of the motion. If the order is signed, the attorney(s) and any unrepresented party shall notify the office of the Hearing Officer in writing of the signing.
Court-Specific Rules Concerning Continuances in Family Law Proceedings	
Amended October 30,	

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	
<b>Rule - 24.8</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8B.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8B.pdf</a>
<b>Appendix - 24.8B</b>	
Uncontested Motion To Continue (form)	

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	
<b>Rule - 24.8</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8C.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8C.pdf</a>
<b>Appendix - 24.8C</b>	
Contested Motion To Continue (form)	

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	Prior to noticing a deposition, whether of a party or non-party witness, counsel seeking the deposition shall first contact opposing counsel to make a good faith attempt to clear an available date and time. Failure to contact, or make reasonable effort to contact opposing counsel prior to noticing a deposition may be grounds to quash the notice and any subpoena issued Amended effective in conjunction therewith.
<b>Rule - 24.9</b>	
<b>Appendix - 24.9</b>	
Court-Specific Rules Concerning Discovery	
Amended October 30, 2015, effective October 1, 2015.	

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<b>Title - IV</b>	<b>Chapter Title - Procedure</b>
<b>Chapter - 24</b>	REQUEST
<b>Rule - 24.10</b>	Either party may request a pre-trial conference or status conference. It shall be within the Court's discretion as to whether such conference shall be conducted. If a party desires a pre-trial or status conference, the requesting party shall obtain available dates and times from the judge's office. Once available dates and times are obtained, the requesting party shall confer with the other party to agree upon a mutually convenient time and the issues to be discussed. The requesting party shall fax a letter to the Judge stating that he has conferred with the opposing party. The letter shall also set forth the date and time of the conference and the issues to be discussed. The judge's office shall fax a confirmation to all parties.
<b>Appendix - 24.10</b>	
Court-Specific Rules Concerning Setting of Pre-Trial Conferences	

Title - IV	Chapter Title - Procedure
Chapter - 24	A. Upon a showing of good cause, with mutual consent, hearings before the Court in divorce proceedings may be held in chambers in accordance with La. R.S. 9:302. Such hearings shall include contested and uncontested proceedings and rules for spousal support, child support, visitation, injunctions, or other matters provisional and incidental to divorce proceedings.
Rule - 24.11	B. Confirmation of divorce under C.C. Art. 103 (1) and (5) may be accomplished by affidavit in accordance with C.C.P. Art. 1702E. In such instances, the mover's attorney shall complete the Default Confirmation under the Appendix 27.3 C.C.P. Art 1702E checklist. The checklist and affidavit must accompany the filing of the Judgment of Divorce.
Appendix - 24.11	
Court-Specific Rules Concerning Hearings in Chambers in Family Law Proceedings Pursuant to La. R.S. 9:302	
Amended October 30, 2015, effective October 1, 2015.	

Title - IV	Chapter Title - Procedure
Chapter - 24	Clients and witnesses shall be advised not to bring children to court, except in unusual circumstances where the child[ren] may be called as witnesses. When a child is to be a witness in a proceeding, arrangements shall be made to have the child on a standby basis until their testimony is needed, preferably waiting at a location other than the Courthouse. Children, under the age of twelve, shall not be allowed in the courtroom without special permission of the court. The Clerk of Court shall notify the parties of this rule.
Rule - 24.12	
Appendix - 24.12	
Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences	

Title - IV	Chapter Title - Procedure
Chapter - 24	Section A. At the time of the Hearing Officer Conference with the hearing officer, if either party has moved for a mental health evaluation under La. R.S. 9:331, the parties or their respective counsel shall have an opportunity to provide a verbal statement and other documentary evidence of their positions to the hearing officer with regard to the custody and/or visitation issues before the Court. The hearing officer shall then recommend whether the matter is appropriate for a mental health evaluation and if so, how the costs shall be apportioned pending the hearing on the merits of the custody and/or visitation proceeding.
Rule - 24.13	B. If the hearing officer recommends referring the matter to a mental health professional for evaluation, an Order for Mental Health Evaluation shall issue at the time of the Hearing Officer Conference, in substantial compliance with the form on the Court's website. The Clerk of Court shall send a certified copy of the order to the mental health professional and any unrepresented party by mail to the address contained on the order, simultaneously with the mailing of the Notice to all counsel of record. A party objecting to the hearing officer's recommendation referring the matter for evaluation shall have five (5) days exclusive of holidays within which to file an objection to the order.
Appendix - 24.13	
Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings	
Amended October 30, 2015, effective October 1, 2015.	Section C. If the hearing officer does not recommend referring the matter to a mental health professional for an evaluation, either party shall have five (5) court days exclusive of holidays within which to file an objection to the recommendation denying the requested order;
	Section D. In the event either party objects to the recommendation of the hearing officer regarding the issue of mental health evaluation, the issue shall proceed before the designated Division Judge (or said matter shall immediately be set for hearing before said Division Judge if a rule date has not already been scheduled) who shall hear the matter de novo.
	Section E. When a custody/visitation evaluation is agreed upon by the parties or is ordered by the Court pursuant to La. R.S. 9:331 after a contradictory hearing, the attorneys shall submit an order substantially in compliance with the form on the Court's website. The Clerk of Court shall send a

certified copy of the order to the mental health professional and any unrepresented party, by mail to the address contained on the order, simultaneously with the mailing of Notice to all counsel of record.

Section F. Unless otherwise agreed by the parties, when any evaluation is ordered by the Court pursuant to La. R.S. 9:331, there shall have been no prior communications between the attorneys or the parties and the mental health professional concerning the issues in the pending matter, other than communications for the sole purpose of determining the availability of the mental health professional or to identify any conflicts of interest the mental health professional may have with the parties or the children.

Section G. When an evaluation is ordered by the Court pursuant to La. R.S. 9:331 and the mental health professional has been appointed, by the attorneys and the mental health professional shall proceed as follows:

1. There shall be no ex-parte contact between the attorneys and the mental health professional. All oral contacts shall be by conference call or joint meeting. All correspondence from the mental health professional shall be directed to all attorneys of record. All correspondence to the mental health professional shall be by joint letter from all attorneys of record, or if not by joint letter, the correspondence shall be pre-approved by all attorneys of record, and shall contain the following certification by the attorney-author: "I do hereby certify that a copy of this letter and attachments, if any have been previously provided to all counsel of record and I have their express approval prior to its delivery to you."
2. In the event the attorneys of record cannot agree whether certain information or documentation should be provided to the mental health professional, the attorney of record who desires to provide the information to the mental health professional shall arrange a conference call or joint meeting between all attorneys of record and mental health professional, so that the mental health professional can decide if the information would be relevant to the evaluation. Alternatively, the attorneys of record may request a status conference from the Court.
3. The attorneys shall not use the parties or the children to send documents, evidence or written communications to the mental health professional. The parties shall not provide documents, evidence or written communications to the mental health professional unless specifically requested by the mental health professional to do so. Copies of all such documents, evidence or written communications shall be simultaneously provided to the opposing counsel or unrepresented party.
4. In the event the mental health professional determines that the minor child is at risk for physical injury or may suffer serious and demonstrable psychological trauma due to the condition or circumstances of any party or any child, the mental health professional shall immediately contact the Court, and all counsel of record to advise of the matter.
5. Once the evaluation has been completed, the mental health professional shall, within a reasonable period of time, provide a short form report to the Court, all attorneys of record and any unrepresented party to include at least the following information:
  - (a) The number of contacts with the parties and the children and the types of tests administered to the parties and/or the children, if any.
  - (b) A listing of other sources of information and a listing of any relevant information that could not be obtained.
  - (c) Identify any specific opinions or facts regarding the parties or the children that may impact the issues before the court.
  - (d) Any specific recommendation in light of the opinions or facts set forth in (c).
6. If any attorney of record requires additional information, this information shall be requested as set forth in Section G(1) above, or by deposition.
7. If the Court requires additional information, this information shall be provided by whatever means the Court deems appropriate.

**Rule - 24.14**

**Appendix - 24.14**

Court-Specific Rules  
Concerning Proof of  
Uncontested Paternity by  
Affidavit Pursuant to La.  
R.S. 9:572

**Title - IV**

**Chapter Title - Judgments and Stipulations**

**Chapter - 25**

If the parties reach a consent or stipulated judgment where a party is awarded custody or unsupervised visitation of a minor child, the applicable original certificate set forth below, with all required attachments, shall be filed with the proposed Consent Judgment.

**Rule - 25.0**

**Appendix - 25.0**

Certificate 1: Child Custody Consent Judgment Certificate  
with No Prior Finding by a Court of Violence/Abuse

Court-Specific Rules on  
Preparation and  
Submission of Judgments  
in Family Law  
Proceedings

By signing and submitting the attached Consent Judgment to the Court, the parties hereby certify that:

1. No party awarded custody or unsupervised visitation of a child herein has a history of perpetrating family violence, domestic abuse, or sexual abuse as defined by La. R.S. 9:362, R.S. 9:341, R.S. 9:364 (A), R.S. 46:2132, or R.S. 14:403 (A)(4)(b).
2. This certification is true and correct to the best of my knowledge, information and belief.

Dated and signed this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_

Dated and signed this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Petitioner Defendant

Certificate 2: Child Custody Consent Judgment Certification  
with Prior Finding by a Court of Violence/Abuse

By signing and submitting the attached Consent Judgment to the Court, the parties hereby certify that:

1. One or more of the parties awarded custody or unsupervised visitation herein has a history of perpetrating family violence, domestic abuse, or sexual abuse as defined by La. R.S. 9:362, R.S. 9:341, R.S. 9:364 (A), R.S. 46:2132, or R.S. 14:403 (A)(4)(b). The history is detailed below and all judgments or orders, which are not contained in this record, are attached hereto.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Since the last incidence of abuse, all three of the following conditions apply:

(a) The perpetrator has successfully completed a court-monitored domestic abuse intervention program as defined in R.S. 9:362(3) or a treatment program designed for sexual abuse (a certificate of completion is attached hereto); and

(b) The perpetrating parent is not abusing alcohol or using illegal substances scheduled in R.S. 40:964; and

(c) The best interest of the child or children, considering the factors listed in C.C. art. 134, requires the perpetrating parent's participation as a custodial parent because of the other parent's absence, mental illness, substance abuse, or other circumstance negatively affecting the child or children.

3. This certification is true and correct to the best of my knowledge, information and belief.

4. The parties specifically waive a hearing herein. They acknowledge that the court may set the matter for hearing before approval of their consent agreement.

Dated and signed this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_

Dated and signed this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Petitioner Defendant

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**Title - IV**                      **Chapter Title - Judgments and Stipulations**

**Chapter - 25**

**Rule - 25.1**

**Appendix - 25.1**

Court-Specific Rules on  
Income Assignment  
Orders

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**Title - IV**                      **Chapter Title - Domestic Violence Protective Orders**

**Chapter - 26**

**Rule - 26.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_26.0A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0A.pdf)

**Appendix - 26.0A**

Louisiana Protective  
Order Registry Index of  
Uniform Abuse  
Preventive Order Forms  
(Forms 1 through 23  
Mandated by La. R.S.  
46:2136.2(C))

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**Title - IV**                      **Chapter Title - Domestic Violence Protective Orders**

**Chapter - 26**

**Rule - 26.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_26.0B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0B.pdf)

**Appendix - 26.0B**

Louisiana Protective  
Order Registry Courtesy  
Forms Index:  
Instructions, Petitions,  
Supplemental Forms, etc.

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 102**

**Chapter - 27**

**Rule - 27.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_27.0A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.0A.pdf)

**Appendix - 27.0A**

La. C.C. art. 102 Divorce  
Checklist (form)

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<b>Title - IV</b>	<b>Chapter Title - Divorces Pursuant to La. Civ. Code Article 102</b>
<b>Chapter - 27</b>	The entering of a divorce under La. C.C. art. 102 may be accomplished by affidavit in accordance with La. C.C.P. art. 3951, et. seq. The mover's attorney shall complete and submit the La. C.C. art. 102 divorce checklist (Appendix 27.0A). The checklist form and affidavit shall be filed no later than the date the Rule is filed for hearing.
<b>Rule - 27.0</b>	
<b>Appendix - 27.0B</b>	
Courts That Require the Filing of a La. C.C. art. 102 Divorce Checklist, the Entire Record, and/or Other Documentation in a La. C.C. art. 102 Divorce	

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<b>Title - IV</b>	<b>Chapter Title - Divorces Pursuant to La. Civ. Code Article 102</b>
<b>Chapter - 27</b>	RULES TO SHOW CAUSE
<b>Rule - 27.0</b>	To enter a judgment of divorce it shall be sufficient to introduce the testimony of the moving party to constitute a prima facie case in divorce matters filed pursuant to C.C. Article 102.
<b>Appendix - 27.0C</b>	
Court-Specific Rules Concerning Allowance of Divorce by Affidavit in a La. C.C. art. 102 Divorce	<b>REQUIRED AFFIDAVITS</b> The entering of a divorce under C.C. Art. 102 may be accomplished by affidavit in accordance with C.C.P. Articles 3951 et. seq. In that event, the mover's attorney shall complete and submit the C.C. Art. 102 Divorce Checklist form in Appendix 27.0A of the District Court Rules. The Checklist form and affidavit shall be filed no later than the date the Rule is fixed for hearing.

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<b>Title - IV</b>	<b>Chapter Title - Divorces Pursuant to La. Civ. Code Article 102</b>
<b>Chapter - 27</b>	
<b>Rule - 27.1</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1A.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1A.pdf</a>
<b>Appendix - 27.1A</b>	
Waiver of Service and Citation of an Original Petition in a La. C.C. art. 102 Divorce Proceeding (form)	

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<b>Title - IV</b>	<b>Chapter Title - Divorces Pursuant to La. Civ. Code Article 102</b>
<b>Chapter - 27</b>	

**Appendix - 27.1B**

Waiver of Service and  
Citation of Rule To  
Show Cause in a La.  
C.C. art. 102 Divorce  
(form)

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**Title - IV**

**Chapter Title - Divorces Pursuant to La. Civ. Code Article 102**

**Chapter - 27**

**Rule - 27.1**

**Appendix - 27.1C**

Courts That Require Use  
of a Specific Waiver of  
Service and Citation  
Form in a La. C.C. art.  
102 Divorce

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**Title - IV**

**Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.0**

**Appendix - 28.0**

Court-Specific Rules  
Concerning Confirmation  
of Preliminary Defaults

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

A. Confirmation of default shall be in accordance with law. To confirm a default it shall be sufficient to introduce the testimony of the moving party to constitute a prima facie case in divorce matters filed pursuant to C.C. Article 103(1) and (5).

It shall be the responsibility of the attorney bringing a confirmation before the court that is not fixed on the docket for that day to check out the suit record from the Clerk for submission at the hearing.

B. Judgments of Divorce in Chambers under La. Code Civ. Proc. Art. 1702E

Confirmation of divorce under C.C. Art. 103 (1) and (5) may be accomplished by affidavit in accordance with C.C.P. Art. 1702E. In such instances, the mover's attorney shall complete the Default Confirmation under C.C.P. Art 1702E Checklist (Appendix 28.1B). The Checklist and affidavit must accompany the filing of the Judgment of Divorce.

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**Title - IV**

**Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.1**

**Appendix - 28.1A**

Court-Specific Rules  
Concerning Allowance  
of Divorce by Affidavit  
in a La. C.C. art. 103  
Divorce Under La. Code  
Civ. Proc. art. 1702(E)

Confirmation of divorce under C.C. Art. 103(1) may be accomplished by affidavit in accordance with C.C.P. Art. 1702(E). In such instances, the mover's attorney shall complete the default confirmation under the C.C.P. Art 1702(E) checklist (Appendix 28.1B). The checklist and affidavit must accompany the filing of the Judgment of Divorce.

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.1**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_28.1B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.1B.pdf)

**Appendix - 28.1B**

La. C.C.P. art. 1702(E)  
Divorce Checklist (form)

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

Confirmation of divorce under C.C. Art. 103(1) may be accomplished by affidavit in accordance with C.C.P. Art. 1702(E). In such instances, the mover's attorney shall complete the default confirmation under the C.C.P. Art 1702(E) checklist (Appendix 28.1B). The checklist and affidavit must accompany the filing of the Judgment of Divorce.

**Rule - 28.1**

**Appendix - 28.1C**

Courts That Require the  
Filing of a La. C.C.P. art.  
1702(E) Divorce  
Checklist

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

A Judgment of divorce under C.C. Art. 103 (1) may be accomplished in accordance with C.C.P. Art. 969(B). In such instances, the attorney for one of the parties shall complete the uncontested divorce under the C.C.P. Art. 969(B) checklist (see Appendix 28.2B). The checklist must accompany the filing of the Judgment of Divorce.

**Rule - 28.2**

**Appendix - 28.2A**

Courts That Require the  
Filing of a La. C.C.P. art.  
969(B) Divorce  
Checklist

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.2**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_28.2B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.2B.pdf)

**Appendix - 28.2B**

La. C.C.P. art. 969(B)  
Divorce Checklist (form)

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.3**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_28.3A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.3A.pdf)

**Appendix - 28.3A**

Acceptance of Waiver  
and Waiver of Service  
and Citation and Delays  
in a La. C.C. art. 103  
Divorce (form)

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**Title - IV**                      **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

**Chapter - 28**

**Rule - 28.3**

**Appendix - 28.3B**

Courts That Require a  
Specific Form for Waiver  
of Service and Citation in  
a La. C.C. art. 103  
Divorce

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**Title - IV**                      **Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_29.0A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.0A.pdf)

**Appendix - 29.0A**

Application for Ex Parte  
Temporary Custody  
Order – Affidavit of  
Mover in Compliance  
with La. C.C.P. art. 3945  
(B) (form)

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**Title - IV**                      **Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_29.0B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.0B.pdf)

**Appendix - 29.0B**

Application for Ex Parte  
Temporary Custody  
Order – Certification by  
Applicant’s Attorney in  
Compliance with La.  
C.C.P. art. 3945(B)  
(form)

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**Title - IV**                      **Chapter Title - Custody and Visitation Orders**

**Chapter - 29**                      A. All requests for ex parte child custody must be pled in accordance with one of the following statutes:

**Rule - 29.0**                      (1) La. R.S. 46:2131 et seq., Domestic Abuse Assistance Act;

**Appendix - 29.0C**

Court-Specific Rules  
Concerning Ex Parte  
Custody Orders

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

(2) La. R.S. 9:361, 363, 364, Post Separation Family Violence Relief Act;

(3) La. C.C.P. Art. 3945, Incidental Order of Child Custody;

(4) La. Ch. Code 1564, et seq., Domestic Abuse Assistance Act; or

(5) Any other statute expressly permitting such relief.

B. All applications for ex parte custody shall include the Appendix 29.0A Affidavit of Mover in Compliance with La. C.C.P. art. 3945(B) and Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B) if represented by counsel.

C. If an ex parte custody order is sought seeking to modify an existing legal custody order, the suit record must accompany the application. In addition to the certificate and/or affidavit required in Section B above, there must be a non-party affidavit attesting to the facts in support of the ex parte modification order or other supporting documentation or information.

D. Any Order granting temporary ex parte custody shall contain a provision which prohibits the parents or parties from changing the child's residence from the jurisdiction of the court or changing the child's school unless otherwise ordered by the Court.

E. The petition shall provide for a Rule to Show Cause in the proper division and except for good cause shown or where prohibited by law, the application must provide for visitation substantially in compliance with La. C.C.P. art. 3945.

F. The provisions of this Rule do not apply to any order of custody of a child requested in a verified petition alleging the applicability of the Domestic Assistance Act R.S. 46:2131 et seq. Children's Code Article 1564 et seq. or the Post Separation Family Violence Relief Act, R.S. 9:361 et seq.

G. On the motion of a party, or on its own motion, the Court may impose appropriate sanctions pursuant to La. C.C.P. art. 863D for certifications that are not based in good faith.

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**Title - IV**

**Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.1**

**Appendix - 29.1**

Court-Specific Rules  
Concerning Temporary  
Custody Orders

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**Title - IV**

**Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.2**

[http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_29.2A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2A.pdf)

**Appendix - 29.2A**

Joint Custody Plan (With  
Domiciliary Parent)  
(form)

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<b>Title - IV</b>	<b>Chapter Title - Custody and Visitation Orders</b>
<b>Chapter - 29</b>	
<b>Rule - 29.2</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2B.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2B.pdf</a>
<b>Appendix - 29.2B</b>	
Joint Custody Plan (Without Domiciliary Parent) (form)	

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<b>Title - IV</b>	<b>Chapter Title - Custody and Visitation Orders</b>
<b>Chapter - 29</b>	A. In order to provide for the best interest of the children of parents who are involved in a contested custody matter, the parents shall participate in an educational program that is designed to make the parties more aware of the effects of separation and divorce upon their children and to acquaint them with methods of assisting minor children to cope with the stress of divorce and custody proceedings.
<b>Rule - 29.3</b>	B. All parties to a contested custody matter filed in the Court shall successfully complete the program “TransParenting” course at The Family Tree. The parties shall promptly pay all fees associated with the program, as directed by the Court.
<b>Appendix - 29.3</b>	C. The program shall be completed within sixty (60) days of service of initial pleadings in the case and each party shall file a certificate of completion in the record.
Court-Specific Rules Concerning Parenting Classes	D. A party's failure to timely complete the program and/or pay all costs in connection therewith, shall subject the party to an appropriate action by the Court, including contempt of Court.
Amended October 30, 2015, effective October 1, 2015.	E. The Court may waive the requirement of completion of the program, in individual cases, for good cause shown. The Court may also change the time by which the program shall be completed or the location, in individual cases, for good cause shown.

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<b>Title - IV</b>	<b>Chapter Title - Custody and Visitation Orders</b>
<b>Chapter - 29</b>	A. At the time of the Hearing Officer Conference with 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 custody and/or visitation issues before the Court. The hearing officer shall then determine whether the matter is appropriate for mediation.
<b>Rule - 29.4</b>	B. In the event the hearing officer determines that the matter is appropriate for mediation, the hearing officer shall determine whether the issues will require only one mediation session, or whether more than one mediation session shall be required.
<b>Appendix - 29.4</b>	1. In the event the issues appear to require only one mediation session, the case may be mediated by court officers who have been trained to mediate custody and visitation matters in accordance with LSA R.S. 9:334. However, in no event may a court officer who will be serving as a Hearing Officer for support issues mediate a custody or visitation issue.
Court-Specific Rules Concerning Mediation	2. If the issues will require more than one mediation session, then the parties shall be referred to a mediator from the list of approved mediators maintained by the Clerk of Court, on a rotating basis.
	C. If the hearing officer refers the matter to mediation, an Order of Mediation shall issue at the time of the Hearing Officer Conference. A party objecting to the referral of the matter to mediation by the hearing officer shall have three (3) court days within which to file an objection to the Order of Mediation, in which the party shall set forth, with specific allegations of fact, the basis upon which an objection to mediation is being filed.

D. In the event the hearing officer does not refer the matter to mediation, either party may nevertheless file a motion seeking a court order of mediation, and shall, at the time said motion is filed, have the matter set for contradictory hearing on the next available rule docket.

E. In the event the parties agree upon a mediator other than the mediator appointed by the court, the name, address, and telephone number of the agreed upon mediator shall be provided to the Judge within five (5) court days after notice to the parties by the hearing officer of the referral to mediation.

F. In order to be listed as an approved mediator with the Clerk of Court, an individual must have successfully completed mediation training in accordance with LSA R.S. 9:334, and must be a practicing member of the Family Mediation Council of Louisiana. Individuals seeking to be placed on the list of approved mediators shall be required to provide a resume and shall agree to charge according to the fee schedule promulgated by the Judges assigned to the Family Docket on file with the Clerk of Court in advance of consideration of his or her placement on the approved list.

G. After mediation has been ordered, the appointed mediator shall file an Acceptance of Appointment and Initial Disclosure by Court Appointed Mediator.

H. The mediator shall communicate with the parties and schedule mediation sessions as appropriate. The mediator shall encourage and assist the parties in reaching a settlement of their dispute but may not compel or coerce the parties to enter into a settlement agreement.

I. Mediators shall preserve and maintain the confidentiality of mediation proceedings pursuant to LSA R.S. 9:332C:

1. They shall keep confidential from opposing parties any information obtained in individual caucuses unless the party or parties to a caucus permit disclosure.
2. They shall maintain confidentiality in the storage and disposal of records and shall render anonymous all identifying information when materials are used for research, training or statistical compilations.
3. All proceedings of the mediation, including statements made by any party, attorney or other participant, are privileged in all respects. The proceedings may not be reported, recorded, placed into evidence, made known to the trial court, or construed for any purpose as an admission against interest.
4. The mediator shall not be named as a witness, nor may the mediator's records be subpoenaed or used as evidence, nor may the mediator's deposition be taken, or any other discovery had against the mediator.

J. At the conclusion of the mediation between the parties, the mediator shall report to the Court that the parties have reached a mediated agreement, and shall provide a memorandum of understanding to the parties and their respective legal counsel, summarizing the nature and substance of the parties' agreement. In the event no settlement was reached, the mediator shall report to the Court, the parties, and their respective legal counsel that the parties were unable to reach a mediated agreement. In either case, the mediator shall file a Final Report of Mediator to the Court.

K. The cost of mediation shall initially be borne equally by the parties, unless the parties agree otherwise, and shall ultimately be taxed as costs of court in the event mediation does not resolve the dispute. At the conclusion of each mediation session, whether or not successful, the parties shall pay the mediator's fee as per the fee schedule on file, or as agreed upon, and the amount of the fee shall be certified by the mediator and placed in the record of the action. All court filings made by the mediator shall be accepted by the Clerk of Court without any filing fee from the mediator, but the cost of filing shall be taxed as costs of court.

**Appendix - 29.5**

Form Letter To Register  
a Foreign or Out-of-State  
Custody Order (form)

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**Title - IV**                      **Chapter Title - Custody and Visitation Orders**

**Chapter - 29**

**Rule - 29.6**

**Appendix - 29.6**

Court-Specific Rules  
Concerning Modification  
of an Existing Custody or  
Visitation Order

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**Title - IV**                      **Chapter Title - Partition of Community Property**

**Chapter - 30**

**Rule - 30.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_30.0A.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0A.pdf)

**Appendix - 30.0A**

Sworn Detailed  
Descriptive List (form)

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**Title - IV**                      **Chapter Title - Partition of Community Property**

**Chapter - 30**

**Rule - 30.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_30.0B.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0B.pdf)

**Appendix - 30.0B**

Sample, Completed  
Sworn Detailed  
Descriptive List (form)

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**Title - IV**                      **Chapter Title - Partition of Community Property**

**Chapter - 30**

**Rule - 30.0**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_30.0C.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0C.pdf)

**Appendix - 30.0C**

Joint Detailed  
Descriptive List (form)

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<b>Title - IV</b>	<b>Chapter Title - Partition of Community Property</b>
<b>Chapter - 30</b>	
<b>Rule - 30.0</b>	<a href="http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0D.pdf">http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0D.pdf</a>
<b>Appendix - 30.0D</b>	
Sample, Completed Joint Detailed Descriptive List (form)	

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<b>Title - IV</b>	<b>Chapter Title - Partition of Community Property</b>
<b>Chapter - 30</b>	Any amendments by a party of a detailed descriptive list shall be filed at least thirty (30) days prior to a partition trial on the merits.
<b>Rule - 30.0</b>	
<b>Appendix - 30.0E</b>	
Court-Specific Rules Concerning Detailed Descriptive Lists	
Amended October 30, 2015, effective October 1, 2015.	

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<b>Title - IV</b>	<b>Chapter Title - Partition of Community Property</b>
<b>Chapter - 30</b>	
<b>Rule - 30.1</b>	
<b>Appendix - 30.1</b>	
Court-Specific Rules Concerning Appointed Special Masters and Experts	

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<b>Title - IV</b>	<b>Chapter Title - Partition of Community Property</b>
<b>Chapter - 30</b>	All partitions shall be filed in the same suit number of the divorce and/or separation of property action between the same parties. However, if the divorce and/or separation proceeding was pending in a Family Docket division and the case has been abandoned, the case shall be reallocated to a non-Family Docket division of the court if there are no longer any minor children born of, adopted or legitimated by the marriage.
<b>Rule - 30.2</b>	
<b>Appendix - 30.2</b>	
Court-Specific Rules Concerning Partition of Community Property	Upon filing of a traversal of the descriptive lists as set forth in La. R.S. 9:2801(2), either party may request that the matter be set for trial of the traverses and/or on the merits. All trials of the traverses and/or all partition trials shall be fixed on a merits docket by written motion and shall be scheduled in accordance with the 15th JDC rules in Appendices 24.7A and 24.7B. In no event shall trials of the traverses or partition trials be fixed in Divisions "H" and "M" between June 1 and August 15 of each year. The trial of the traverses and/or the partition trial shall not be fixed unless both parties have filed a detailed descriptive list into the record of the proceeding in accordance with R.S. 9:2801(1)(a), or unless a detailed descriptive list has been deemed to constitute a judicial determination of the community assets and liabilities by the Court in accordance with La. R.S. 9:2801(1)(a), or if a rule to deem a detailed descriptive list to constitute a judicial determination of the community is filed simultaneously with and fixed for hearing with the partition trial. The motion to fix for trial shall contain a certification signed by the party or counsel or record to this effect. The Court may, on the
Amended October 30, 2015, effective October 1, 2015. Amended November 20, 2016, effective January 1, 2017.	

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 interlocutory in nature for appeal purposes. No appeal may be taken until final judgment adjudicating all community property issues heard pursuant to La. R.S. 9:2801 et. seq. is signed by the Court.

Upon receiving a motion to fix a partition matter on the merits, the Clerk shall immediately forward to all counsel of record and to all unrepresented parties a notice of the trial date of the suit, together with the following scheduling order form:

#### SCHEDULING ORDER FOR COMMUNITY PROPERTY PARTITIONS

DEADLINE:

FOR:

75 days prior to trial date

1. EXPERT WITNESSES

Each part shall file into the record and provide opposing counsel with a list of the name, address, area of testimony and expertise of each expert witness and shall provide a written report prepared and signed by the expert which shall comply with C.C.P. art. 1425(B) along with a list of qualifications of the witness, including all publications authored by the witness within the preceding ten years, the compensation to be paid the witness and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years. Any party may petition the court to modify this requirement, upon good showing, which petition must be filed 10 days prior to the deadline for providing this information.

If the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party, the information listed above must be furnished within 30 days after the disclosure made by the other party in compliance with C.C.P. art. 1425(C).

60 days prior to trial date

2. (a) EXCHANGE OF EXPERT REPORTS

(b) EXCHANGE OF SPECIFIC WITNESS AND EXHIBIT LISTS

(i) Each party shall list the name, address and area of testimony of each witness. The witness list shall include rebuttal witnesses, reasonably anticipated.

(ii) The party listing the witness bears a responsibility of producing that witness at trial. Opposing parties may call the said witness to testify.

(iii) Each party shall list separately and with particularity each exhibit.

(iv) Should a party fail to introduce its listed exhibit, an opposing attorney may introduce the exhibit.

(v) Absent good cause, no witness or exhibits shall be allowed which are not properly identified and listed.

30 days prior to trial

3. (a) DISCOVERY COMPLETED

(b) DISPOSITIVE MOTIONS

(c) FINAL AMENDMENTS TO DDL

(d) PRETRIAL CONFERENCES

If a pre-trial conference is desired, any party may contact the judge's office in order to request a conference the scheduling of which shall be at the Judge's discretion. If a conference is scheduled, trial counsel for each party shall attend the conference. No substitutions of counsel will be allowed without prior approval by the court. The purpose of the conference shall be to insure that the case is ready for trial and to discuss the nature and basis of the claims and defenses and to make a good faith effort to narrow the issues, reach joint stipulations to dispose of uncontested matters, discuss and attempt to resolve any matter concerning the authenticity or admissibility of exhibits produced in response to discovery, and attempt a settlement of the matter.

4. In the event a pre-trial conference is scheduled, counsel for each party shall file proposed pre-trial stipulations which shall be due three (3) working days prior to the pre-trial conference. A copy shall be delivered to the home office of the trial judge.

#### 5. EXPERT DEPOSITIONS COMPLETE

#### 6. MOTIONS IN LIMINE

Ten (10) days prior to trial

#### 7. SETTLEMENT NEGOTIATIONS

All counsel shall confer personally at least ten days prior to trial in order to confer stipulations, discuss settlement of the case and prepare a combined detailed descriptive list which sets forth all community assets, reimbursement claims, community obligation claims and separate property claims, as well as the nature of the disputes between the parties, in such a manner so that the Court can make a side by side comparison of each claim. An example of a combined detailed descriptive list may be found in Appendices 30.0C and 30.0D of Title IV, Rules for District Courts

Eight (8) days prior to trial

#### 8. PRETRIAL MEMORANDUM

Each party shall prepare a pre-trial memorandum which shall include an estimate of the length of the trial. The original memorandum shall be delivered to the home office of the trial judge. Copies shall be provided to all counsel.

#### 9. MARK AND EXCHANGE EXHIBITS AND DEMONSTRATIVE AIDS

#### 10. EDITING OF TRIAL DEPOSITIONS AND FILING OBJECTIONS THERETO

#### 11. SUBMIT TRIAL DEPOSITIONS AND A COPY OF THE COMBINED DETAILED DESCRIPTIVE LIST TO THE JUDGE'S CHAMBERS

### SUMMARY PROCEEDINGS

The trial of the traverses and the trial on the merits shall be set on the Court's regular merits docket.

### FORM OF JUDGMENT

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 Court and to opposing counsel, or the opposing party if unrepresented, so that a qualified domestic relations (QDRO) order can be prepared as directed by the Court.

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**Title - IV**                      **Chapter Title - Other Rules**

**Chapter - 31**

**Rule - 31.0**

**Appendix - 31.0**

Court-Specific Rules  
Concerning Use of  
Electronic and Recording  
Devices

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**Title - IV**                      **Chapter Title - Other Rules**

**Chapter - 31**

**Rule - 31.1**

**Appendix - 31.1**

Court-Specific Rules  
Concerning Oral  
Arguments

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**Title - IV**                      **Chapter Title - Other Rules**

**Chapter - 31**

**Rule - 31.2**

**Appendix - 31.2**

Court-Specific Rules  
Concerning Enrollment  
and Withdrawal of  
Counsel

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**Title - IV**                      **Chapter Title - Other Rules**

**Chapter - 31**

**Rule - 31.3**

**Appendix - 31.3**

Court-Specific Rules  
Concerning  
Collaborative Divorce  
Procedures

Case filings designated as an approved Collaborative Law matter shall be exempt from deadlines and other local rules of court proceedings concerning domestic cases. The attorneys shall certify in the Petition for Divorce that this is a collaborative law case, and that they and the clients have signed a Contract to proceed in a collaborative manner. In the event of an impasse, and either party withdraws from the collaborative process, both attorneys shall file a motion to withdraw as counsel of record, and they shall certify in the motion that the collaborative process is in impasse.

Once a collaborative case is at impasse and the attorneys in the collaborative process have withdrawn as counsel of record, the matter shall be deemed one for regular litigation, and it shall then proceed according to all local court rules of the Fifteenth Judicial District.

Any attorney that enters into a collaborative law agreement in the Fifteenth Judicial District shall be in good standing with the Louisiana State Bar Association, and they shall have the basic introductory two day training regarding the team approach to collaborative cases involving mental health professionals, certified public accountants, certified valuation analyst and other professionals that may be necessary to find a solution to the parties legal problems. Any introductory course offered by the Collaborative



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.

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**Title - IV**

**Chapter Title - Hearing Officer Procedure for Title IV-D Federal Social Security Act**

**Chapter - 33**

**Rule - 33.0**

**Appendix - 33.0**

Court-Specific Rules  
Concerning Objections to  
Recommendations of  
Hearing Officers in Title  
IV-D Matters

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**Title - IV**

**Chapter Title - Hearing Officer Procedures for Domestic Violence Protective Orders**

**Chapter - 34**

**Rule - 34.0**

A. In accordance with C.C.P. Art. 3607.1, all temporary restraining orders, protective orders, and judgments containing orders of protection issued pursuant to any motion, rule, petition for protection, reconventional demand, as well as motions to modify, dissolve, or dismiss orders or judgments, shall be submitted to the Court on the Uniform Abuse Prevention Order forms mandated by law. Copies of

Appendix - 34.0

Court-Specific Rules Concerning Hearing Officer Procedures for Domestic Violence Protective Orders

Amended November 20, 2016, effective January 1, 2017.

these forms may be obtained from the Parish Clerk of Court or the Louisiana Protective Order Registry, 1555 Poydras Street, Suite 1540, New Orleans, Louisiana 70112-3701; www.lpor.org.

B. An ordinary proceeding may be combined with summary proceedings that seek protective or injunctive relief from domestic violence as long as the court has jurisdiction, venue is appropriate for both proceedings, and all of the actions cumulated are mutually consistent and observe the necessary delays required by law. The Court may require separate trials of the actions. If the custody or visitation of minor child(ren) is at issue, the parties shall each file the Mandatory Affidavit for Child Custody/Visitation Matters:

VERSUS 15th JUDICIAL DISTRICT COURT DOCKET NO.: PARISH, LOUISIANA

MANDATORY UCCJEA AFFIDAVIT FOR CHILD CUSTODY/VISITATION

I, (full name) swear that the following statements are true:

Name, birth date and sex of each child who is involved in this court case only:

Name: Date of Birth: Male / Female

Where are the child(ren) living today?

(1) List all parishes/counties & states where the child(ren) have lived in the past five (5) years:

Parish/County: State or Country: When child(ren) lived there:

(2) List all persons other than you with whom the child(ren) have lived in the past five (5) years:

Name: Address: Relationship:

(3) Have the child(ren) ever been the subject of any of the following kinds of cases? If yes, check below:

Divorce/Separation Juvenile Court
Custody/Visitation Child Protection
Child Support Abuse/Neglect
Paternity Parental Rights Termination
Protective Order Adoption
Restraining Order Other

(4) If you checked yes to # 3 above, answer the following:

A. Name of Child(ren):

B. Type of Proceeding (custody, visitation, paternity, OCS, protective order, etc.)

C. Court, Parish/County & State: Docket No.:

D. Case is still open/on-going: Case is not open/on-going:

(5) If you know of any person NOT a party to this proceeding who has physical custody or claims to have custody/visitation rights to a child(ren) listed above, please provide the following:

Name:
Address of Person:

I HEREBY ACKNOWLEDGE that I have a continuing duty to advise this Court of any proceeding concerning the child(ren) in this state or any other state which may affect the outcome of this proceeding. I further understand that if I knowingly swear or affirm falsely that the punishment may include fines and imprisonment.

Sworn to and Subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(Sign Your Name)

\_\_\_\_\_  
(Print Your Name)

\_\_\_\_\_  
(Your Address)

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C. A petition for divorce, separation or annulment of marriage, or a custody proceeding that is filed subsequent to a petition under the Domestic Abuse Assistance Act, Post-Separation Family Violence Relief Act, or Protection from Family Violence Relief Act shall be filed under the earlier domestic violence docket number. Likewise, if a suit for divorce or custody is pending, any application for a protection order shall be filed under that earlier docket and shall be heard within the delays required by law.

D. A request for injunctive relief pursuant to R.S. 9:372 or 9:372.1, being incidental to a proceeding for divorce, shall be pled with the divorce and the relief expressly continued or obtained in the divorce decree. Only the relief granted pursuant to R.S. 9:372 shall be submitted on the Uniform Abuse Prevention Order form.

E. A Hearing Officer Conference shall be scheduled with the Hearing Officer, who shall determine the issues of the case and in conjunction therewith, shall hear and make recommendations regarding all protective orders filed in accordance with R.S. 46:2131 et seq., R.S. 46:2151 et seq., and on all injunctions filed in accordance with R.S. 9:361, 371, and 372; and hear and make recommendations on all motions for contempt of court and motions to extend, modify, or dissolve protective orders and injunctions. There will be no court reporter present and no record made of the proceeding. The only record will be a minute entry by the minute clerk. The Hearing Officer shall initially make the recommendation orally and the parties shall assent or object to the recommendation at the conclusion of the hearing. If there is no objection the Hearing Officer shall prepare a written recommendation and a proposed Protective Order judgment on the appropriate LPOR form which shall be reviewed and signed by the parties prior to its submission to the appropriate judge for signature. If either party objects, the Hearing Officer shall prepare a written recommendation without preparing a recommended Protective Order judgment and the matter shall be fixed on the docket of the appropriate division for the matter to be heard de novo.

F. Parties, who seek to dismiss their petition for a domestic violence protective order, may be required to appear before the court prior to dismissal.

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**Title - IV**

**Chapter Title - Hearing Officer Procedures for Domestic Violence Protective Orders**

**Chapter - 34**

**Rule - 34.2**

**Appendix - 34.2**

Court-Specific Rules  
Concerning Objections to  
Rulings of Hearing  
Officer or Domestic  
Commissioner; Time for  
Filing

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**Title - IV**

**Chapter Title - General Procedures for Hearing Officer Conferences**

**Chapter - 35**

**Rule - 35.1**

**Appendix - 35.1**

Court-Specific Rules  
Concerning Failure To  
Timely Comply with an  
Appendix 23.0D Hearing  
Officer Conference and  
Information Order and/or  
an Appendix 23.0B  
Family Law Affidavit

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**Title - IV**                      **Chapter Title - General Procedures for Hearing Officer Conferences**

**Chapter - 35**

**Rule - 35.4**                      [http://www.lasc.org/rules/dist.ct/Title\\_IV/APPENDIX\\_35.4.pdf](http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_35.4.pdf)

**Appendix - 35.4**

Stipulation Form (form)

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**Title - IV**                      **Chapter Title - General Procedures for Hearing Officer Conferences**

**Chapter - 35**

**Rule - 35.5**                      A. If any party files a timely objection to a Hearing Officer Recommendation in a matter allotted to Divisions "A", "B", "C", "D", "E", "F", "G", "I", "J", "K" and "L", then the party or parties who object to the Recommendation, or any part thereof, shall provide to the District Judge in whose Division the matter is pending, at least five (5) days prior to the hearing, a written statement of the specific issues that are to be heard. If a party objects to the Recommendation, or any part thereof, is represented by counsel, the statement of the issues shall be signed by said counsel.

**Appendix - 35.5**

Court-Specific Rules  
Concerning Objections to  
Hearing Officer  
Recommendations and  
Judgments of Domestic  
Commissioner

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

B. Any party who disagrees with a recommendation of a Hearing Officer on a matter set forth may file a written objection within the delays provided by this rule.

C. 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.

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**Title - IV**                      **Chapter Title - General Procedures for Hearing Officer Conferences**

**Chapter - 35**

**Rule - 35.7**

**Appendix - 35.7**

Court-Specific Rules  
Concerning the Setting of  
Hearing Dates

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<b>Title - IV</b>	<b>Chapter Title - General Procedures for Hearing Officer Conferences</b>
<b>Chapter - 35</b>	If a written objection to the Hearing Officer recommendation is timely filed by either party, then the Hearing Officer recommendation shall be forwarded to the District Judge who may accept, reject, or modify it in whole or in part as a temporary order after the objection period has expired until a contradictory hearing can be had. Any such temporary order signed by the District Judge shall be considered interlocutory in nature.
<b>Rule - 35.8</b>	
<b>Appendix - 35.8</b>	
Court-Specific Rules Concerning Adoption of Hearing Officer's Recommendation as Temporary Order After Objection	
Amended October 30, 2015, effective October 1, 2015.	

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<b>Title - V</b>	<b>Chapter Title - Court Organization and Sessions</b>
<b>Chapter - 41</b>	Advance fees for filing an opposition to either a surrender or to an adoption petition shall be in accordance with the established fee schedule published by the Clerk of Court unless the filing party qualifies to file in forma pauperis in accordance with Rule 24.
<b>Rule - 41.0</b>	
<b>Appendix - 41.0</b>	
Court Procedures	The Family Docket Judge may, in exceptional circumstances and particular cases, deviate from these rules in the interest of justice and proper administration of the Court.

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<b>Title - V</b>	<b>Chapter Title - Adoption Proceedings</b>
<b>Chapter - 46</b>	
<b>Rule - 46.0</b>	
<b>Appendix - 46.0</b>	
Court-Specific Rules Concerning Filing of Pleadings and Required Exhibits in Adoption Proceedings	

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<b>Title - VI</b>	<b>Chapter Title - Litigation Filed by Inmates</b>
<b>Chapter - 60</b>	
<b>Rule - 60.2</b>	<a href="http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.2.PDF">http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.2.PDF</a>
<b>Appendix - 60.2</b>	
Form IJR-1: Petition for Judicial Review	

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<b>Title - VI</b>	<b>Chapter Title - Litigation Filed by Inmates</b>
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**Chapter - 60**

**Rule - 60.4**

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

**Appendix - 60.4**

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

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**Title - VI**

**Chapter Title - Litigation Filed by Inmates**

**Chapter - 60**

**Rule - 60.7**

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

**Appendix - 60.7A**

Application To Proceed  
In Forma Pauperis Filed  
in District Court

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**Title - VI**

**Chapter Title - Litigation Filed by Inmates**

**Chapter - 60**

**Rule - 60.7**

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7B.PDF>

**Appendix - 60.7B**

Motion To Proceed In  
Forma Pauperis on  
Appeals/Writs

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**Title - VI**

**Chapter Title - Litigation Filed by Inmates**

**Chapter - 60**

**Rule - 60.8**

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.8.PDF>

**Appendix - 60.8**

Appeal of Parole  
Revocation

