

INDEX TO RULES

Items In This Style Are LSC Rules
ITEMS IN THIS STYLE ARE 14TH JDC RULES

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<p>LOUISIANA SUPREME COURT RULES: RULES FOR LOUISIANA DISTRICT COURTS</p>	<p>Fourteenth Judicial District Family Court Rules</p>
<p>TITLE I. RULES FOR PROCEEDINGS IN DISTRICT COURTS, FAMILY COURTS, AND JUVENILE COURTS</p>	
<p>CHAPTER 1. CONSTRUCTION, APPLICATION AND AMENDMENT</p>	
<p>Rule 1.0. Construction of Rules and Appendices</p> <p>These Rules and Appendices are intended to govern interaction between the courts, counsel, and litigants, and to ensure the administration of justice in an efficient and effective manner.</p> <p>Administrative rules governing internal operating procedures of individual courts on topics not otherwise covered by these Rules may be adopted by en banc order of the court.</p> <p>Such administrative rules shall be made available to the public by filing a copy with the Judicial Council of the Supreme Court and by filing a copy with the clerk of court for the appropriate parish or parishes.</p> <p>History :(Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010.)</p>	

Rule 1.1. Application of Rules and Appendices; Citation Form

- (a) Title I and Appendices 2.0 through 8.0 apply to all proceedings in district courts, family courts, and juvenile courts.
- (b) Title II and Appendices 9.3 through 9.14 apply to all civil proceedings in district courts, except for juvenile proceedings, and as otherwise limited within these Rules.
- (c) Title III and Appendices 14.0A through 19.0 apply to criminal proceedings in all district courts.
- (d) Title IV applies to all Louisiana family law proceedings in district courts and in the Family Court for the Parish of East Baton Rouge.
- (e) Title V applies to all juvenile proceedings in district courts and in juvenile courts for the Parishes of East Baton Rouge, Orleans, Jefferson, and Caddo.
- (f) Title VI applies to all litigation filed by inmates in district courts.
- (g) Titles I through IV and Title VI of these Rules shall be known as the "Louisiana District Court Rules" and may be officially cited: La. Dist. Ct. R. . The Appendices to these Rules may be officially cited: La. Dist. Ct. R. , App. .
- (h) Title V of these Rules shall be known as the "Louisiana Juvenile Court Rules" and may be officially cited: La. Juv. Ct. R. . The Appendices to Title V may be officially cited: La. Juv. Ct. R. , App. .

History: (Adopted April 1, 2002, effective April 1, 2002; amended June 2, 2003, effective July 1, 2003; amended November 3, 2008, effective January 1, 2009; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010; amended November 21, 2011, effective January 1, 2012; amended April 29, 2014, effective June 1, 2014; amended effective January 1, 2016.)

Rule 1.3. Amendment of Rules and Updating Appendices

- (a) Proposed rules or amendments to existing Louisiana Rules for District Courts shall be approved by the Supreme Court. Proposed amendments may be submitted by any Louisiana judge or licensed member of the Louisiana bar to the Office of the Judicial Administrator of the Supreme Court.
- (b) Amendments to the information contained in the Appendices to the Louisiana Rules for District Courts shall be made by Court Order attached to the Appendix Amendment Form (Appendix 1.3) and submitted to the Office of the Judicial Administrator of the Supreme Court within thirty days of the signing of the Order. The Office of the Judicial Administrator of the Supreme Court shall update the Appendices annually by communication with the chief judge and the clerk of court for each judicial district, family court, or juvenile court.
- (c) The Rules and Appendices shall be published annually by West Publishing Company and shall be available on the official website of the Louisiana Supreme Court.

<p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 3, 2004, effective January 1, 2005; amended November 3, 2008, effective January 1, 2009; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010; amended May 18, 2016, effective July 1, 2016.)</p>	
<p>Rule 1.4. Deviations from Rules</p> <p>An individual judge may, in the interest of justice and upon notice to all parties, permit deviations from these Rules in a particular proceeding. Any such deviation shall be noted on the record in open court in the presence of all parties or by written order filed into the record of the proceedings and mailed to all parties or their counsel of record.</p> <p>History: Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010; amended May 15, 2013, effective June 1, 2013.)</p>	
<p>Rule 1.5. Computation of Time</p> <p>The following rules apply in computing any period of time specified in these Rules provided they do not conflict with legislation:</p> <ul style="list-style-type: none"> (a) Exclude the day of the act, event, or default that begins the period. (b) Exclude intermediate legal holidays when the period is fewer than seven days, unless the period is stated in calendar days. (c) Include the last day of the period, unless the last day is a legal holiday, in which case the period runs until the end of the next day that is not a legal holiday. <i>See</i> La. Code Civ. Proc. art. 966, as amended by House Bill No. 690 or the Louisiana Legislature's 2015 Regular Session, which shall govern the computing times on motions for summary judgment effective January 1, 2016. For example: <ul style="list-style-type: none"> (i) When a rule requires an act be done ten days before an event, and the tenth day falls on a Sunday, the act shall be done no later than the preceding Friday (assuming Friday is not a legal holiday). This does not apply to motions for summary judgment -- <i>see</i> La. Code Civ. Proc. Art. 966. (ii) When a rule requires an act be done ten days after an event, and the tenth day falls on a Sunday, the act shall be done no later than the following Monday (assuming Monday is not a legal holiday). <p>History: (Adopted June 2, 2003, effective July 1, 2003; amended November 20, 2009, effective January 1, 2010; amended effective January 1, 2016.)</p>	
<p>CHAPTER 2. DATES OF COURT</p>	
<p>Rule 2.0. Dates of Court</p> <p>The local holidays observed by each judicial district or court, in addition to legal holidays, are listed in Appendix 2.0 to these Rules.</p>	

<p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 3, 2004, effective January 1, 2005; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010.)</p>	
<p>CHAPTER 3. JUDGES AND FACSIMILE TRANSMISSIONS TO THE COURT</p>	
<p>Rule 3.0. Office Hours</p> <p>When not on the bench, each judge shall maintain such regular office days and hours as may be necessary to conduct public business.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002.)</p>	
<p>Rule 3.1. Divisions or Sections of Court</p> <p>Courts may by <i>en banc</i> order divide into divisions or sections for the purpose of allotting matters within the court's jurisdiction. Those courts that have done so, and their respective methods for assigning judges to divisions or sections, are indicated in Appendix 3.1.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010.)</p>	<p>RULE 3.1. COURT JURISDICTION AND DIVISIONS</p> <p>Section A. There shall be Family and Juvenile Dockets in the Fourteenth Judicial District and that Docket shall be allotted as follows:</p> <p>Effective January 1, 2013, pursuant to La. R.S. 13:587, all new family cases will be assigned to Divisions "A", "B", "C", "D", "E", "F", "G", "H" and "I". All new juvenile matters will be assigned to Divisions "C" and "I" and all juvenile matters presently assigned to Division "D" will be reassigned to Divisions "C" and "I". Division "D" will retain all family matters presently assigned to Division "D".</p> <p>Effective January 1, 2015, pursuant to La. R.S. 13:587, Division "A" will be assigned to Family and Juvenile Court. All new family cases will be assigned to Divisions "A", "C", and "I." All new juvenile matters will be assigned to Divisions "A" and "I" and all juvenile matters presently assigned to Division "C" will be assigned to Division "A". All domestic matters presently assigned to Divisions "B", "D", "E", "F", "G" and "H" will be assigned to Division "A".</p> <p>Section B. Matters heard on the Family and Juvenile Court Dockets shall be as follows:</p> <ol style="list-style-type: none"> (1) all juvenile matters governed by the Louisiana Children's Code; (2) all proceedings for the adoption of minors and for the relinquishment or termination of parental rights; (3) all family law proceedings set forth in LSC Rule 22.1. <p>Section C. These rules shall apply to family proceedings in all divisions of the 14th Judicial District Court.</p>

<p>Rule 3.2. Duty Judges</p> <p>Each judicial district or court may designate one or more of its members to act as a duty judge. In civil proceedings, the duties assigned to a duty judge shall comply with La. Code Civ. Proc. art. 253.3. The identity of each duty judge shall be prominently displayed in a manner deemed appropriate by the court. If the court chooses to use multiple duty judges to perform various functions, the delineation of each duty judge's duties shall also be prominently displayed. The length of term and duties of the duty judge shall be at the sole discretion of the judges in each judicial district or court sitting <i>en banc</i>. For those judicial districts or courts that have designated duty judges, the office hours for performance of his or her duties, and the duties assigned, are listed in Appendix 3.2.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010; amended May 15, 2013, effective June 1, 2013.)</p>	
<p>Rule 3.3. Facsimile Transmissions to Judges</p> <p>Any document sent to a judge by facsimile transmission shall not exceed fifteen pages, unless the judge has granted permission for a longer transmission. Before sending a facsimile transmission in excess of fifteen pages, an attorney or party sending such facsimile transmission must contact the court for permission.</p> <p>History: (Adopted October 29, 2003, effective January 4, 2004; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010.)</p>	
<p>Rule 3.4. Use of Electronic Signatures by Judges</p> <p>See Appendix 3.4 for courts enacting rules related to a judge, justice, or other presiding officer's electronic signature pursuant to La. Code Civ. Proc. arts. 253, 1911, or other applicable law.</p> <p>History: (Adopted effective January 1, 2016.)</p>	
<p>CHAPTER 4. COURT PERSONNEL</p>	
<p>Rule 4.0. Court Reporters</p> <p>The court shall provide a method for making a verbatim recording of all proceedings conducted in open court.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002.)</p>	
<p>Rule 4.1. Judicial Administrators</p> <p>The court <i>en banc</i> may appoint and fix the salary of a judicial administrator to assist the court in fulfilling its administrative obligations. Those judicial districts that have appointed an administrator are listed in Appendix 4.1.</p>	

<p>Websites for district courts and clerks of court, where available, are also listed in Appendix 4.1.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 3, 2008, effective January 1, 2009; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010; amended May 15, 2013, effective June 1, 2013.)</p>	
<p>CHAPTER 5. COURTROOM USE, ACCESSIBILITY, AND SECURITY</p>	
<p>Rule 5.0. Courtroom Use</p> <p>The name of the judge assigned to a particular courtroom shall be prominently displayed outside the courtroom in a manner deemed appropriate by the court. The clerk of court shall maintain a list of all courtrooms, their locations, and the judges assigned to each.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010.)</p>	
<p>Rule 5.1. Accessibility to Judicial Proceedings</p> <p>(a) The facilities, services, and programs of the court shall be readily accessible to persons with disabilities. Attached as Appendix 5.1A is a form that may be used to request reasonable accommodations extended under the ADA. Attached as Appendix 5.1B is a form that may be used to request an interpreter. Attached as Appendix 5.1C is a form that may be used as an interpreter's oath.</p> <p>(b) In addition to the above requirements, courts having fifty or more employees shall develop, promulgate, and maintain a problem-resolution process and designate a responsible court officer or employee to coordinate access to court programs and services by persons with disabilities and to resolve complaints regarding lack of access for such persons.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 3, 2008, effective January 1, 2009; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010.)</p>	
<p>Rule 5.2. Courtroom Security</p> <p>The sheriff or his or her designated deputies shall provide security for the courtrooms, chambers, judicial offices, and hallways within the courthouse. Security procedures shall be approved by the chief judge of the district court or other court.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010.)</p>	
<p>CHAPTER 6. COURTROOM DECORUM AND THE CONDUCT OF ATTORNEYS AND JUDGES</p>	
<p>Rule 6.0. The Opening of Court</p> <p>The bailiff shall open each session of court with an appropriate</p>	

<p>recitation and order, such as the following:</p> <p style="padding-left: 40px;">"Oyez, Oyez, Oyez, Section (or Division) , the Honorable Judicial District Court (or other court) of the State of Louisiana, in and for the Parish of , is now in session. The Honorable Judge presiding. Order and silence are commanded. God save the State and this Honorable Court."</p> <p>The bailiff shall direct all persons in the courtroom when they are to rise, in accordance with the directions of the court.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002.)</p>	
<p>Rule 6.1. General Courtroom Conduct</p> <p>(a) No person may engage in any conduct that would be disruptive to the business of the court, including the following:</p> <ol style="list-style-type: none"> (1) Using tobacco in any form at any time. (2) Reading newspapers while court is in session. (3) Displaying any political advertisement of any nature. <p>(b) Attorneys, as officers of the court, shall help to maintain the dignity of the court. Male attorneys and clerks of court shall wear coats and ties in the courtroom. Female attorneys and clerks of court shall wear a comparable level of attire.</p> <p>(c) No one may wear a hat or be barefoot in the courtroom. Witnesses and spectators shall appear neat and clean, within the limits of propriety. The court will make allowances for those who shall appear in work clothes and for those whose attire is dictated by their religion.</p> <p>(d) No one is allowed inside the rail except for attorneys, litigants, officers of the court, and anyone else that the court specifically authorizes.</p> <p>(e) A judge should prohibit broadcasting, televising, recording, or the taking of photographs in the courtroom and areas immediately adjacent thereto, at least during sessions of court or recesses between sessions. <i>See</i> Code of Judicial Conduct Canon 3A(9).</p> <p>(f) A judge may prohibit the use of electronic devices, including cellular telephones and recording devices, in a courtroom.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended June 2, 2003, effective July 1, 2003; amended November 20, 2009, effective January 1, 2010; amended November 21, 2011, effective January 1, 2012.)</p>	
<p>Rule 6.2. Attorney Conduct</p> <p>(a) Any attorney who tenders himself or herself before the court and represents that he or she is duly authorized to practice law, but who has been declared ineligible, suspended, or disbarred from practice before the courts of this State, shall be subject to contempt proceedings.</p> <p>(b) No one may represent a party in any proceeding except counsel of record, unless allowed to do so by law.</p> <p>(c) When an attorney is interested in two or more matters</p>	

fixed for hearing in different sections or divisions of court on the same day, that attorney shall notify the minute clerk of the section or sections from which he or she expects to be temporarily absent as to his or her presence in another court.

- (d) As a general rule, attorneys desiring to address the court while it is in session shall do so while standing. Unless directed otherwise by the judge, all judgments, orders, decrees, or other documents shall be handed to the clerk, who shall hand them to the judge.
- (e) Private conversation or conference between attorneys or others in attendance during any court session should not be disruptive to the proceedings.
- (f) Attorneys shall address all remarks, objections, and comments to the judge, never to opposing counsel. Impromptu argument or discussion between counsel will not be permitted.
- (g) Except with leave of court obtained, only one attorney for each party shall examine any one witness.
- (h) Counsel may not approach the witness in the witness chair without first obtaining the court's permission.
- (i) Before showing an exhibit to a witness, counsel shall first either show opposing counsel the exhibit or provide opposing counsel with a copy of the exhibit.
- (j) Counsel and parties to any litigation shall not send the court copies of correspondence between them.
- (k) Attorneys shall abide by the Rules of Professional Conduct and should abide by the Louisiana Code of Professionalism, the latter of which is set forth below:

The Louisiana Code of Professionalism

1. My word is my bond. I will never intentionally mislead the court or other counsel. I will not knowingly make statements of fact or law that are untrue.
2. I will clearly identify for other counsel changes I have made in documents submitted to me.
3. I will conduct myself with dignity, civility, courtesy and a sense of fair play.
4. I will not abuse or misuse the law, its procedures or the participants in the judicial process.
5. I will consult with other counsel whenever the scheduling procedures are required and will be cooperative in scheduling discovery, hearings, the testimony of witnesses and in the handling of the entire course of any legal matter.
6. I will not file or oppose pleadings, conduct discovery or utilize any course of conduct for the purpose of undue delay or harassment of any other counsel or party. I will allow counsel fair opportunity to respond and will grant reasonable requests for extensions of time.
7. I will not engage in personal attacks on other counsel or the court. I will support my profession's efforts to enforce its disciplinary rules and will not make unfounded allegations of unethical conduct about other counsel.
8. I will not use the threat of sanctions as a litigation tactic.

- 9. I will cooperate with counsel and the court to reduce the costs of litigation and will readily stipulate to all matters not in dispute.
- 10. I will be punctual in my communication with clients, other counsel, the court, and in honoring scheduled appearances.

History: (Adopted April 1, 2002, effective April 1, 2002; amended October 29, 2003, effective January 4, 2004; amended November 20, 2009, effective January 1, 2010.)

Rule 6.3. Code of Professionalism in the Courts

Attorneys and judges should conform to the Code of Professionalism adopted as Section 11 of Part G, General Administrative Rules, Supreme Court of Louisiana:

The Code of Professionalism in the Courts

PREAMBLE

The following standards are designed to encourage us, the judges and lawyers, to meet our obligations to each other, to litigants and to the system of justice, and thereby achieve the twin goals of professionalism and civility, both of which are hallmarks of a learned profession dedicated to public service.

These standards shall not be used as a basis for litigation or sanctions or penalties. Nothing in these standards alters or detracts from existing disciplinary codes or alters the existing standards of conduct against which judicial or lawyer negligence may be determined.

However, these standards should be reviewed and followed by all judges of the State of Louisiana. Copies may be made available to clients to reinforce our obligation to maintain and foster these standards.

JUDGES' DUTIES TO THE COURT

We will be courteous, respectful, and civil to lawyers, parties, and witnesses. We will maintain control of the proceedings, recognizing that judges have both the obligation and authority to insure that all litigation proceedings are conducted in a civil manner.

We will not employ hostile, demeaning, or humiliating words in opinions or in written or oral communications with lawyers, parties, or witnesses.

We will be punctual in convening all hearings, meetings, and conferences; if delayed, we will notify counsel, if possible.

We will be considerate of time schedules of lawyers, parties, and witnesses in scheduling all hearings, meetings and conferences.

We will make all reasonable efforts to decide promptly all matters presented to us for decision.

We will give the issues in controversy deliberate, impartial, and studied analysis and consideration.

While endeavoring to resolve disputes efficiently, we will be considerate of the time constraints and pressures imposed on lawyers by the exigencies of litigation practice.

We recognize that a lawyer has a right and a duty to present a cause fully and properly, and that a litigant has a right to a fair and impartial hearing. Within the practical limits of time, we

will allow lawyers to present proper arguments and to make a complete and accurate record.

We will not impugn the integrity or professionalism of any lawyer on the basis of clients whom or the causes which a lawyer represents.

We will do our best to insure that court personnel act civilly toward lawyers, parties, and witnesses.

We will not adopt procedures that needlessly increase litigation expense.

We will bring to lawyers' attention uncivil conduct which we observe.

We will be courteous, respectful, and civil in opinions, ever mindful that a position articulated by another judge is the result of that judge's earnest effort to interpret the law and the facts correctly.

We will abstain from disparaging personal remarks or criticisms, or sarcastic or demeaning comments about another judge in all written and oral communications.

We will endeavor to work with other judges in an effort to foster a spirit of cooperation in our mutual goal of enhancing the administration of justice.

LAWYERS' DUTIES TO THE COURTS

We will speak and write civilly and respectfully in all communications with the court.

We will be punctual and prepared for all court appearances so that all hearings, conferences, and trials may commence on time; if delayed, we will notify the court and counsel, if possible.

We will be considerate of the time constraints and pressures on the court and court staff inherent in their efforts to administer justice.

We will not engage in any conduct that brings disorder or disruption to the courtroom. We will advise our clients and witnesses appearing in court of the proper conduct expected and required there and, to the best of our ability, prevent our clients and witnesses from creating disorder or disruption.

We will not knowingly misrepresent, mischaracterize, misquote, or miscite facts or authorities in any oral or written communication to the court.

We will not engage in *ex parte* communication on any pending action.

We will attempt to verify the availability of necessary participants and witnesses before dates for hearings or trials are set, or if that is not feasible, immediately after such date has been set, so we can promptly notify the court of any likely problems.

We will act and speak civilly to court marshals, clerks, court reporters, secretaries, and law clerks with an awareness that they too, are an integral part of the judicial system.

History: (Adopted April 1, 2002, effective April 1, 2002.)

Rule 6.4. District Court Standards

The district courts, family and domestic relations courts, and juvenile courts should comply with the District Court Standards adopted as Section 10 of Part

G, General Administrative Rules, Supreme Court of Louisiana:

I. ACCESS TO JUSTICE

Standard 1.1 Public Proceedings

The court conducts openly its judicial proceedings that are public by law or custom.

Standard 1.2 Safety, Accessibility, and Convenience

The court encourages responsible parties to make court facilities safe, accessible and convenient.

Standard 1.3 Effective Participation

All who appear before the court are given reasonable opportunities to participate effectively without undue hardship or inconvenience.

Standard 1.4 Courtesy, Responsiveness, and Respect

Judges and other trial court personnel are courteous and responsive to the public and accord respect to all with whom they come into contact.

Standard 1.5 Affordable Cost of Access

The court encourages all responsible public bodies and public officers to make the costs of access to the trial court's proceedings and records -- whether measured in terms of money, time, or the procedures that must be followed -- reasonable, fair, and affordable.

II. EXPEDITION AND TIMELINESS

Standard 2.1 Case Processing

The trial court encourages timely case management and processing.

Standard 2.2 Required Reports and Requests for Information

The trial court promptly provides required reports and responds to requests for information.

Standard 2.3 Prompt Implementation of Law and Procedure

The trial court promptly implements changes in the law and procedure.

III. EQUALITY, FAIRNESS, AND INTEGRITY

Standard 3.1 Fair and Reliable Judicial Process

Trial court procedures faithfully adhere to laws, procedural rules, and established policies.

Standard 3.2 Juries

The jury venire is representative of the jurisdiction from which it is drawn.

Standard 3.3 Court Decisions and Actions

Trial courts give individual attention to cases, deciding them without undue disparity among like cases and upon legally relevant factors.

Standard 3.4 Clarity

Decisions of the trial court address clearly the issues presented to it and, where appropriate, specify how compliance can be achieved.

<p><i>Standard 3.5 Responsibility for Enforcement</i></p> <p>The trial court takes appropriate responsibility for the enforcement of its orders.</p> <p><i>Standard 3.6 Production and Preservation of Records</i></p> <p>Records of all relevant court decisions and actions are accurate and properly preserved.</p> <p>IV. INDEPENDENCE AND ACCOUNTABILITY</p> <p><i>Standard 4.1 Independence and Comity</i></p> <p>The trial court maintains its constitutional independence and observes the principle of cooperation with other branches of government.</p> <p><i>Standard 4.2 Accountability for Public Resources</i></p> <p>The trial court responsibly seeks, uses, and accounts for its public resources.</p> <p><i>Standard 4.3 Personnel Practices and Decisions</i></p> <p>The trial court uses fair employment practices.</p> <p><i>Standard 4.4 Public Education</i></p> <p>The trial court informs the community of its structure, function, and programs.</p> <p><i>Standard 4.5 Response to Changes</i></p> <p>The trial court recognizes new conditions or emergent events and adjusts its operations as necessary.</p> <p>V. PUBLIC TRUST AND CONFIDENCE</p> <p><i>Standard 5.1 Accessibility</i></p> <p>The trial court and the justice it renders are perceived by the public as accessible.</p> <p><i>Standard 5.2 Fair, Impartial, and Expeditious Court Functions</i></p> <p>The trial court functions fairly, impartially, and expeditiously in order that the public has trust and confidence in the integrity of the decisions of the court.</p> <p><i>Standard 5.3 Judicial Independence and Accountability</i></p> <p>The trial court is perceived to be independent, cooperative with other components of government, and accountable.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010.)</p>	
<p>CHAPTER 7. RECORD MANAGEMENT</p>	
<p>Rule 7.0. Record Management</p> <p>Each clerk of court shall maintain and destroy records according to law.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010; amended May 15, 2013, effective June 1, 2013.)</p>	
<p>CHAPTER 8. INDIGENTS AND IN FORMA PAUPERIS</p>	

<p>Rule 8.0. Uniform <i>In Forma Pauperis</i> Affidavit</p> <p>A party, other than an inmate, who wishes to proceed <i>in forma pauperis</i> shall complete and file the affidavit in Appendix 8.0.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010.)</p>	
<p>Rule 8.1. Traversal of <i>In Forma Pauperis</i> Status</p> <p>The court, on its own motion or the motion of any party, may hold a hearing to traverse the right of any litigant to proceed <i>in forma pauperis</i>.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010.)</p>	
<p>Rule 8.2. No Recommendation from Clerk of Court Required</p> <p>No recommendation from the clerk of court's office as to whether a litigant is in fact indigent need be attached to an affidavit of poverty submitted by a party wishing to proceed <i>in forma pauperis</i>. No requirement that such a recommendation be attached, pursuant to La. Code Civ. Proc. art. 5183, may be instituted except by amendment to these Rules.</p> <p>History: (Adopted April 1, 2002, effective April 1, 2002; amended November 20, 2009, effective January 1, 2010; amended April 20, 2010, effective June 1, 2010.)</p>	
<p>TITLE IV. RULES FOR FAMILY LAW PROCEEDINGS IN DISTRICT COURTS AND IN THE FAMILY COURT FOR THE PARISH OF EAST BATON ROUGE</p> <p>PART I: RULES APPLICABLE TO ALL FAMILY LAW PROCEEDINGS</p>	
<p>CHAPTER 22. APPLICATION OF RULES</p>	
<p>Rule 22.0. Application of Rules</p> <p>The Rules and Appendices in Title IV supplement the Rules and Appendices of Titles I and II of the Louisiana District Court Rules and apply to all Louisiana family law proceedings in</p>	<p>Rule 22.0. APPLICATION OF RULES</p> <p>If a conflict should arise between the Fourteenth Judicial District Court rules and the Fourteenth Judicial District Family and Juvenile Court rules, the Fourteenth Judicial District Family and Juvenile</p>

<p>general jurisdiction district courts and in specialized jurisdiction district courts. <i>See</i> Appendix 22.0 for a list of courts having divisions or sections handling family law proceedings.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>Court rules shall supersede.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 22.1. Family Law Proceedings Defined</p> <p>Family law proceedings, for purposes of application of these Rules, are defined as:</p> <ul style="list-style-type: none"> (a) all family law actions that involve separation, divorce, or annulment proceedings, as well as all issues that are ancillary thereto; (b) all child-related actions in marital and non-marital family law cases and all issues ancillary thereto, except as provided herein; (c) all civil family law protective orders issued including actions filed pursuant to The Domestic Abuse Assistance Act, The Post-Separation Family Violence Relief Act, and Uniform Abuse Prevention Orders; (d) all actions filed seeking to have a foreign judgment or order, or judgment or order of any other judicial district of this state, recognized and enforced that are described within these rules; (e) the partition of and adjudication of issues arising from legal or contractual matrimonial regimes or from partly legal and partly contractual matrimonial regimes; (f) other matters designated by law or court-specific rule as "family law proceedings"; and (g) enforcement of orders in any of these matters, including the issue of contempt of court. <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 23.0. Pre-Hearing Exchange of Information</p> <ul style="list-style-type: none"> (a) The courts listed in Column I of Appendix 23.0A require the pre-hearing filing, exchange, or submission of an affidavit or parts thereof similar to an Appendix 23.0B <i>Family Law Affidavit</i>. The suggested <i>Income and Expense Sheet</i> appears in Section VIII of the Appendix 23.0B <i>Family Law Affidavit</i>. The courts listed in Column II of Appendix 23.0A require the pre-hearing filing, exchange, or submission of a joint custody implementation plan similar to the applicable plan provided in Appendix 29.1A. In those jurisdictions that require the affidavit, the parties shall file, exchange, and/or submit the affidavit and/or joint custody implementation plan in accordance with the court-specific deadlines set forth in Appendix 23.0A. (b) The courts listed in Column III of Appendix 23.0A may issue an Appendix 23.0C <i>Hearing Information Order</i> or an Appendix 23.0D <i>Hearing Officer Conference and Information Order</i>. If a court requires use of court-specific forms in place of these forms, these court-specific forms may be found in Appendix 	<p>RULE 23. EXCHANGE OF INFORMATION</p> <p>Section A. In all matters in which a Hearing Officer Conference Order has been issued, each party shall prepare and exchange with the opposing counsel or party, simultaneously and in the same manner of delivery, the appropriate mandatory <i>Family Court Affidavit, Form N</i>, with required attachments, at least three (3) days prior to the Hearing Officer Conference, exclusive of legal holidays. The original <i>Family Court Affidavit, Form N</i>, shall be submitted to the Hearing Officer, simultaneously and in the same manner of delivery, with the transmission to the opposing party/attorney.</p> <p>Section B. The parties are to personally sign the <i>Family Court Affidavit, Form N</i>, under oath, certifying that the information contained therein and attached documents are complete, true and correct to the best of their knowledge, information and belief. The parties are to immediately update</p>

<p>23.0E.</p> <p>(c) Failure of any party to comply with a Rule 23.0 information order may result in the dismissal or continuance of the rule, exclusion of evidence or arguments by the non-compliant party, and/or imposition of sanctions on the non-compliant party.</p> <p>(d) For court-specific rules concerning arrearages, see Appendix 23.0F.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>the affidavit and documents if any of the information changes prior to the hearing and shall immediately correct any errors discovered after completion.</p> <p>Section C. Any documents relied upon by the Hearing Officer in making a recommendation, which is appealed, shall be filed into the record unless waived by the parties.</p> <p>Section D. If a party does not provide the required <i>Family Court Affidavit, Form N</i>, documents and/or financial information as ordered by the Court necessary for the Hearing Officer to make recommendations, then the Hearing Officer may recommend any of the following:</p> <ol style="list-style-type: none"> 1) That the party failing to produce the <i>Family Court Affidavit, Form N</i>, documents and/or financial information be found in contempt of court with sanctions to be imposed; 2) That the matter be dismissed without prejudice; 3) That good cause exists to modify the retroactivity of the award; and/or 4) That temporary orders be issued based upon the limited information provided. The temporary orders shall be without prejudice and shall not affect the retroactivity of the claims of either party. <p>Section D. All rules seeking arrearages of spousal support and/or child support or contempt rules for failure to pay spousal support and/or child support shall be accompanied by an <i>Arrearage Worksheet, Form P</i>.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>CHAPTER 23. NOTICE AND EXCHANGE OF INFORMATION</p>	
<p>Rule 23.1. Pre-Trial Orders in Non-Community Property Cases</p> <p>Court-specific rules for pre-trial orders in family law proceedings may be found in Appendix 23.1 for non-community property cases. Court-specific rules regarding pre-trial orders in partition of community property cases may be found in Chapter 30.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>CHAPTER 24. PROCEDURE</p>	
<p>Rule 24.0. Form of the Pleadings; Case Caption and Title</p>	<p>RULE 24. PLEADINGS</p> <p>Section A. All initial filings in new suits filed in</p>

<p>Court-specific rules concerning form of pleadings and/or caption and title requirements in family law proceedings may be found in Appendix 24.0.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015).</p>	<p>Family Court shall be accompanied by the <i>Clerk’s Form, Form C</i>.</p> <p>Section B. All new captions shall include space for indication of the division of court the case will be assigned to, and space for the indication of which Hearing Officer will be assigned to the case.</p> <p>Section C. All subsequent captions shall provide the letter of the division of court the case has been assigned to, and the number of the assigned Hearing Officer.</p> <p>Section D. All pleadings are to be paginated.</p> <p><i>Effective date: June 1, 2017</i></p>
	<p>RULE 24.1. BRIEFS AND MEMORANDUM</p> <p>Section A. Any brief, memorandum and/or correspondence with the Court shall be furnished contemporaneously to the opposing counsel or party, if unrepresented, with a certificate of compliance attached thereto.</p> <p>Section B. All exceptions and motions for new trial shall be accompanied by a brief written statement of the facts and reasons in support of the exception or motion and a memorandum of authorities on which the party relies. Copies shall be furnished contemporaneously to the opposing counsel or party if unrepresented. Each party opposing the exception or motion shall file with the Court, no later than five (5) judicial days before the hearing, a brief statement of the facts and reasons advanced in opposition to the exception or motion and a memorandum of authorities on which the party relies, a copy of which shall likewise be provided contemporaneously to the opposing counsel or party if unrepresented.</p> <p>Section C. Any exception or motion which is filed without a memorandum of authorities attached shall not be assigned a hearing date or in the discretion of the Court may be dismissed. Attorneys appearing without having timely filed the required memorandum of authorities may not be permitted to argue.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 24.1. Prior or Multiple Filing of Pleadings</p> <p>Court-specific rules concerning prior or multiple filing of pleadings may be found in Appendix 24.1.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 24.2. Allotment of Cases</p>	<p>RULE 24.2. ALLOTMENT OF CASES</p>

<p>Court-specific rules for allotment of cases in family law proceedings may be found in Appendix 24.2.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>Section A. Family and Juvenile Court cases shall be allotted on random basis and in a manner that prevents parties filing proceedings from anticipating assignments or otherwise forum shopping for a particular division of the Court.</p> <p>Section B. All cases involving the same family units shall be allotted to the same Division of the Court, and the same Hearing Officer. Allotment shall be made utilizing <i>Form A, Order of Allotment</i>.</p> <p>Section C. Once a case has been allotted, all exceptions, motions, rules and trials on the merits shall be heard by the Judge of the division and the Hearing Officer to which the case is allotted.</p> <p>Section D. Any uncontested matter, preliminary default or confirmation of default may be taken up before any division of Family and Juvenile Court.</p> <p>Section E. If all Judges in Family and Juvenile Court are recused or are unable to preside in the matter, the case shall be assigned randomly among the other Judges of the 14th Judicial District Court, and a Hearing Officer.</p> <p>Section F. If two cases are consolidated, the case having the highest docket number shall be transferred to the division to which the case having the lower docket number has been allotted; the Hearing Officer shall remain the same as originally designated.</p> <p>Section G. After a case has been allotted, the Clerk of Court shall at once cause the division and the Hearing Officer to which the case has been allotted to be noted on the outside of the jacket of the record and in the docket book.</p> <p>Section H. Once a case has been allotted to an assigned Judge, the Clerk of Court shall then randomly allot the case to a Hearing Officer. Once the case has been allotted to a Hearing Officer, all hearing officer matters shall be heard by that Hearing Officer. If the assigned Judge is changed, the Hearing Officer will remain the same.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 24.3. Pleadings Presented for Walk-Through</p> <p>Court-specific rules for the presentation of pleadings for walk-through in family law proceedings may be found in Appendix 24.3.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 24.4. Attorneys Appointed To</p>	<p>RULE 24.4. DUTIES OF CURATOR AD HOC</p>

<p>Represent Absentee Defendants</p> <p>If a particular court has established a method of appointing attorneys to represent absentee defendants, a value of compensation, or other specific directive, the rule is set forth in Appendix 24.4.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>Section A. In any case in which a curator ad hoc is appointed to represent an absentee defendant, the petition shall contain information as to the residence address or whereabouts of the defendant. The curator ad hoc shall promptly make diligent effort to locate and contact the defendant either by personal contact, or by certified or registered mail with return receipt requested, or electronic means. When the case is called for trial, the curator ad hoc shall be prepared to present competent evidence to show that a diligent effort was made to locate the defendant, to give him the information and render the services required by this rule.</p> <p>Section B. If the absentee defendant can be located or contacted, the curator ad hoc shall inform him, either by personal contact or by certified or registered mail with return receipt requested, or electronic means, of the nature of the proceedings and the date of the trial or hearing, and he shall render such other services as may be necessary for the protection of the rights of the absentee. At the trial or hearing, unless otherwise ordered by the Court, the curator ad hoc shall file in evidence copies of the letters written to or received from the defendant, the return receipts of registered letters addressed to the defendant, or documentary proof of electronic communications between the curator and the defendant.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 24.5. Extensions of Time To Plead</p> <p>Court-specific rules for extensions of time to plead in family law proceedings may be found in Appendix 24.5.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 24.6. Restrictions on Preparation of Answers or Other Pleadings; Procedure When a Self-Represented Party Has Filed an Answer</p> <p>Courts that have adopted court-specific rules restricting the preparation of answers or other pleadings and on hearings when an answer is filed by a self-represented party are listed in Appendix 24.6.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 24.7. Scheduling Hearings and Trials; Order of Business</p> <p>Court-specific rules for scheduling hearings and trials in family law proceedings may be found in Appendix 24.7A. Court-specific rules for the order of business conducted in a specific court or division of court may be found in Appendix 24.7B.</p>	<p>RULE 24.7. ASSIGNMENT OF CASES FOR TRIAL</p> <p>Section A. If a matter is contested and the Clerk has received an adequate deposit or bond for costs, a case may be placed on the trial docket at the request of an attorney of record or a party, if not represented, by a written motion presented to the assigned Judge or a</p>

<p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>written request directed to the Clerk. After such motion or request is made, if the Clerk determines that the deposit or bond is inadequate, he shall so notify the attorneys of record in the case, and the case shall not be placed on the trial docket until an adequate deposit or bond is furnished or unless so ordered by the Court. If an adequate deposit or bond is not furnished within sixty (60) days after notice is mailed by the Clerk, the case shall be dismissed without prejudice, upon contradictory motion filed by any party thereto, if failure to comply with the notice continues to the date of trial of the motion.</p> <p>Section B. All motions or requests to have a case placed on the trial docket must be accompanied by a statement or certificate of the moving party that they have checked the record and that all answers have been filed and the case is in the proper posture for placing on the trial docket.</p> <p>Section C. Trials requiring testimony of less than fifteen (15) minute duration may be set for trial instantly by joint motion in open court, without the necessity of placing the cases on the trial docket.</p> <p>Section D. Upon receiving a request for the fixing of a case for trial, the Clerk shall immediately forward to all counsel of record and parties, if unrepresented, a notice of the trial date of the suit, together with the appropriate pretrial order.</p> <p><i>Effective date: June 1, 2017</i></p>
	<p>RULE 24.7.1 TRIAL DATE CONFLICTS AND PREFERENCES</p> <p>Section A. When cases are assigned for trial on the same date in different divisions involving the same trial attorney or attorneys, the following order of preference shall prevail:</p> <ol style="list-style-type: none"> (1) Criminal jury trials; (2) Civil jury trials; (3) Custody, access and/or protective order rules and trials; (4) Criminal bench trials; (5) Civil bench trials; (6) Juvenile trials; (7) Support and ancillary rules; and (8) Criminal motions (exception being motions with statutory time limitations). <p>Section B. When cases are assigned for trial on the same date in different Family and Juvenile Court divisions involving the same attorney or attorneys, the following order of preference shall prevail:</p> <ol style="list-style-type: none"> (1) Juvenile continued custody hearings and trials (Delinquency, Family in Need of Services, Child in Need of Care); (2) Protective orders; (3) Trials of contested matters (custody, access, support, relocation and

	<p>community property partitions);</p> <p>(4) Rules; and</p> <p>(5) Hearing Officer Conferences.</p> <p>Section C. Once a trial has commenced, it shall take preference over all other proceedings.</p> <p>Section D. The attorney who has a potential conflict shall immediately notify opposing counsel and the Court.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 24.8. Continuances</p> <p>Court-specific rules for continuances in family law proceedings may be found in Appendix 24.8A. Suggested continuance forms are included as Appendix 24.8B (<i>Uncontested Motion To Continue</i>) and Appendix 24.8C (<i>Contested Motion To Continue</i>).</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 24.8. CONTINUANCES</p> <p>Section A. A continuance may be granted in any case if there is good ground therefor. All requests for continuance shall be made in writing utilizing <i>Motion for Continuance, Form F.</i></p> <p>Section B. A continuance sought for a Hearing Officer Conference wherein both parties are represented by an attorney, does not require the use of <i>Motion for Continuance, Form F.</i> The continuance may be requested by facsimile or electronic mail to the assigned Judge, if the following provisions are complied with:</p> <ol style="list-style-type: none"> (1) The requesting attorney notifies the assigned judge and the opposing party simultaneously of the request; and (2) The requesting attorney provides the reason why the continuance is being sought; and (3) The requesting attorney informs the court if the opposing party agrees to or objects to the continuance; and (4) The opposing party must reply to the court of his position; and (5) Both parties agree to accept a refile date by email or facsimile without further need of service; and (6) Both parties send confirmation to the Judge that he has received the new court date. <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 24.9. Discovery</p> <p>Court-specific rules concerning discovery in family law proceedings may be found in Appendix 24.9.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015)</p>	<p>Rule 24.9. DISCOVERY</p> <p>Section A. All documents provided in discovery, or pursuant to the <i>Pretrial Order and Trial Notice, Form H,</i> that are not authenticated as required by evidentiary law shall be deemed authenticated unless the receiving party notifies the supplying party of the objection to the non-authenticated items. The time delay for notification of the objection shall be:</p>

	<p>a) If received pursuant to discovery answers: the objection shall be made within 10 days from receipt.</p> <p>b) If received pursuant to partitioning proceedings: the objection shall be within ten (10) days after receipt.</p> <p>c) If received pursuant to a pre-trial order: the objection shall be made within ten (10) days after receipt</p> <p>It is recommended that the objection be in writing or electronic form.</p> <p>Section B. Discovery methods that require a written response shall be answered by reprinting the request and then providing the response.</p> <p><i>See also Rule 24.10. Pretrial Conferences; and Rule 30.2. Rule Governing Partitioning of Community Property.</i></p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 24.10. Pre-Trial Conferences</p> <p>Court-specific rules for setting pre-trial conferences in family law proceedings may be found in Appendix 24.10.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 24.10. PRETRIAL CONFERENCES</p> <p>Section A. Upon request of either party, or at its own direction, the Court may order the attorneys for the parties to appear before it for a pretrial conference to consider the following:</p> <ol style="list-style-type: none"> 1) The simplification of the issues; 2) The necessity or desirability of amendments to the pleadings; 3) The possibility of obtaining admissions of fact and agreements on the admissibility of documents which will avoid unnecessary proof; 4) The limitation of the number of witnesses, lay and expert; and 5) Any objection to evidence whether testimonial or non-testimonial. 6) Such other matters as may aid in the disposition of the action. <p>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 shall cause such stipulations to be placed on the record to conserve time at trial.</p> <p>Section C. The parties at pretrial conferences shall likewise be required to state objections to any exhibit, document, photograph, lack of evidence, or other such evidence.</p>

	<p>Section D. At pretrial conferences, the Court, in its discretion, may seek to advise and assist the parties to a voluntary resolution of their differences.</p> <p>Section E. 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 shall be expected to appear at pretrial 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, counsels are expected to exert reasonable efforts to that end prior to and during pretrial conferences, and not wait until it is too late for the Court to otherwise utilize the time set aside for the trial of the case.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 24.11. Hearings in Chambers Pursuant to La. R.S. 9:302</p> <p>Court-specific rules authorizing hearings in chambers in family law proceedings pursuant to La. R.S. 9:302 may be found in Appendix 24.11.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 24.12. Presence of Children in the Courtroom and/or Hearing Officer Conferences</p> <p>Children shall not be brought to court proceedings and/or hearing officer conferences, except in unusual circumstances or where the child(ren) may be called as (a) witness(es). The judge and/or hearing officer, commissioners, or family law magistrates shall determine the method and procedure for the presence of children. For court-specific rules concerning the presence of children in court and/or hearing officer conferences, <i>see</i> Appendix 24.12.</p> <p>Parties are allowed to bring children involved in an uncontested adoption proceeding to a court hearing.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 24.12. CHILDREN IN THE COURTHOUSE</p> <p>Section A. Clients and witnesses shall be advised not to bring children to the courthouse.</p> <p>Section B. When a child is to be a witness in a proceeding, the court must first approve. The child shall not be brought to the courthouse until the Court calls for their testimony. If the child is enrolled in school, they are to remain in school until called by the Court. Children shall not be allowed in the courtroom without special permission of the Judge.</p> <p>Section C. Failure to comply with any of these rules regarding children in the courthouse and the courtroom may result in you being held in contempt of court or any other sanction deemed appropriate by the Court.</p> <p>Section D. The Clerk of Court shall notify the parties of this rule in accordance with Form B, Important Notice Regarding Your Case.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 24.13. Mental Health Evaluations</p>	<p>RULE 25. MENTAL HEALTH EVALUATION</p>

Court-specific rules for mental health evaluations in family law proceedings may be found in Appendix 24.13.

History: (Adopted April 30, 2015, effective July 1, 2015.)

Section A. If mental health assistance is ordered, an *Order for Mental Health Evaluation, Form U*, shall be executed and delivered to the mental health professional, all parties, and all counsel of record by hand delivery, mail, or facsimile.

Section B. Unless otherwise agreed by the parties, when a custody evaluation is ordered, the “mental health professional” shall be a person who is a psychiatrist or a person who possesses a doctorate degree in counseling, social work, psychology, public health or marriage and family counseling and is licensed by the appropriate State Board.

Section C. Unless otherwise agreed by the parties, when any other type of mental health assistance is ordered, the “mental health professional” shall be a person who possesses at least a master’s degree in counseling, social work, psychology, or marriage and family counseling and is licensed by the appropriate State Board.

Section D. Unless otherwise agreed by the parties, when mental health assistance is ordered, 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 E. When mental health assistance is ordered and the mental health professional has been appointed, the attorneys and the mental health professional shall proceed as follows:

- 1) There shall be no contact between the attorneys and the mental health professional other than in writing, with copies of all correspondence and attachments copied to opposing party with the attorney’s certification. Any oral contacts shall be by conference call or joint meeting which shall include all counsel or parties, if unrepresented. All correspondence from the mental health professional shall be directed to the Court and all attorneys of record. Any violation of this rule shall be reported by the mental health professional to the Court.
- 2) The attorneys shall not use the clients or the children to send written communications to the mental health professional.
- 3) 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

	<p>shall immediately notify the Court and all counsel of record in writing.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 24.14. Uncontested Paternity Proceedings -- Proof by Affidavit</p> <p>Courts that have adopted court-specific rules for proof of uncontested paternity by affidavit pursuant to La. R.S. 9:572 are listed in Appendix 24.14.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>CHAPTER 25. JUDGMENTS AND STIPULATIONS</p>	
<p>Rule 25.0. Rules on Preparation and Submission of Judgments</p> <p>See Appendix 25.0 for court-specific rules on presentation and submission of judgments in family law proceedings.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 25. STIPULATIONS AND SUBMISSION OF JUDGMENTS</p> <p>Section A. Stipulations shall be signed by all parties and counsel of record and filed in the record. If such stipulations are reached during a pretrial conference while court is in session, the stipulations shall be dictated into the record. Upon request, the Court reporter shall transcribe the stipulation, the original of which shall be filed in the record.</p> <p>Section B. Formal judgments shall be prepared and presented to the opposing counsel of record or the opposing party, if unrepresented, by the party ordered by the Court to prepare the judgment within fifteen (15) days of rendition of judgment. The opposing party must sign the proposed judgment or object in writing within fifteen (15) days of the mailing or delivery of the proposed judgment. If there is an objection, both parties shall submit the proposed judgment with the transcript to the Court immediately. In the event that the judgment is not presented within fifteen (15) days after rendition, the other party may prepare and present a formal judgment to the Court, after having submitted a copy to the opposing counsel or the opposing party, if unrepresented, and furnishing such notice of presentation to the Court. If the judgment is submitted without the opposing counsel's signature or if the judgment is submitted in a matter where the opposing party is unrepresented, the judgment shall be presented to the Court with the transcript.</p> <p>Section C. Any written stipulation regarding child support shall include a statement that the child support award is in accordance with the Louisiana Child Support Guidelines. If the stipulation is not in accordance with the guidelines, then the reasons for deviations shall be set forth in the stipulation.</p> <p>Section D. Any written stipulation or judgment involving joint custody shall include a Joint Custody Plan pursuant to La. R.S. 9:335. See</p>

	<p><i>Form J</i> for a suggested <i>Joint Custody Plan</i>.</p> <p>Section E. Any written stipulation or judgment involving child support shall include an order requiring that the parents provide the State Case Registry with any change in the information required by La. R.S. 9:313 (B)(1) occurring after the rendering of the judgment. Any judgment of child support shall also be accompanied by the <i>State Case Registry Data Form</i>. See <i>Form K</i>.</p> <p>Section F. Any written stipulation or judgment involving immovable property shall include the legal description of the property and the common municipal address.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 25.1. Income Assignment Orders</p> <p>See Appendix 25.1 for court-specific rules on income assignment orders.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 25.2. Partition Judgments Involving Immovable Property</p> <p>For partition judgments involving immovable property, the judgment language shall contain the legal description of the property, as well as the common address so that it may be properly indexed in the conveyance records.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 25.2. PARTITION JUDGMENTS INVOLVING IMMOVABLE PROPERTY.</p> <p><i>See Rule 25. Stipulations and Submission of Judgments, Section F.</i></p>
<p>CHAPTER 26. DOMESTIC VIOLENCE PROTECTIVE ORDERS</p>	
<p>Rule 26.0. Forms, Notices, and Orders Required</p> <p>Domestic Violence Protective Orders may be requested either by filing the appropriate Louisiana Protective Order Registry (LPOR) form, which may be obtained from the LPOR home page located at http://www.lasc.org/court_managed_prog/lpor.asp, or by incorporating a request for a protective order or injunction into any pleading. If the latter method is used, an appropriate LPOR Temporary Restraining Order form shall be completed and submitted with the petition seeking such relief. See Appendix 26.0A for a list of LPOR forms 1 to 23 mandated by La. R.S. 46:2136.2(C). See Appendix 26.0B for a listing of LPOR courtesy forms A through Z.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015; amended May 18, 2016, effective July 1, 2016.)</p>	
<p>CHAPTER 27. DIVORCES PURSUANT TO LA. CIV. CODE</p>	

<p>ART. 102</p> <p>Rule 27.0. Rules To Show Cause</p> <p>(a) Courts requiring the filing of the La. Civ. Code art. 102 checklist in Appendix 27.0A are listed in Appendix 27.0B.</p> <p>(b) To enter a judgment of divorce, it shall be sufficient to comply with the requirements of La. Code Civ. Proc. art. 3956(5). Those courts that grant a La. Civ. Code art. 102 divorce by affidavit are listed in Appendix 27.0C.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 27. DIVORCES PURSUANT TO LA. C. C. ART. 102</p> <p>Section A. All rules to show cause why a divorce should not be granted pursuant to La. Civ. C. art. 102 shall be assigned for the next feasible motion hour.</p> <p>Section B. Mover's attorney shall offer and introduce for filing the entire record and the appropriate <i>Checklist for LA. C.C. Art. 102 Divorce, Form L</i>, in open court on the hearing date. Attorneys appointed to represent absentee defendants shall testify in open court at that time.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 27.1. Forms Required for Waiver of Service and Citation</p> <p>Forms that may be used for waiver of service and citation of an original petition for divorce in an action for divorce under La. Civ. Code art. 102 may be found in Appendix 27.1A. Forms that may be used for waiver of service and citation of a rule to show cause in an action for divorce under La. Civ. Code art. 102 may be found in Appendix 27.1B. Courts that require use of a specific waiver of service and citation form in a La. C.C. art. 102 divorce are listed on Appendix 27.1C.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>CHAPTER 28. DIVORCES PURSUANT TO LA. CIV. CODE ART. 103</p>	
<p>Rule 28.0. Confirmation of Defaults</p> <p>For court-specific rules concerning confirmation of preliminary defaults, <i>see</i> Appendix 28.0.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 28.0. DEFAULTS AND UNCONTESTED MATTERS</p> <p>Any uncontested matter, preliminary default or confirmation of default may be taken up before any division of Family and Juvenile Court.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 28.1. Judgments of Divorce Under La. Code Civ. Proc. Art. 1702(E)</p> <p>Confirmation of divorce under La. Civ. Code art. 103(1) may be held in open court or in chambers in the judge's discretion. Courts allowing divorce by affidavit in accordance with La. Code Civ. Proc. art. 1702(E) are listed in Appendix 28.1A. In such instances, the mover's attorney shall complete the default confirmation under the La. Code Civ. Proc. art. 1702(E) checklist attached as Appendix 28.1B to these Rules, unless this checklist is not required by court rule. The checklist and affidavit, if required, must accompany the filing of the judgment</p>	<p>RULE 28. 1. JUDGMENTS OF DIVORCE UNDER LA. CODE CIV. PROC. ART. 1702 (E)</p> <p>To confirm a preliminary default under La. C. C. Art. 103(1) and La. C. Civ. Proc. art 1702 (E), petitioner shall submit to the Court in chambers or open court the following:</p> <ol style="list-style-type: none"> 1) The suit record; 2) <i>Form M, Checklist For La. C.C. Art. 103 Divorce</i>;

<p>of divorce. Courts requiring a La. Code Civ. Proc. art. 1702(E) checklist are listed in Appendix 28.1C.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>3) An affidavit executed by the petitioner within 30 days of submittal of the proposed judgment specifically attesting to and testifying as to the truth of all of the factual allegations contained in the petition and facts sufficient to obtain a divorce; and</p> <p>4) The original and one copy of the proposed judgment.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 28.2. Judgment on the Pleadings and Summary Judgment of Divorce in Chambers Under La. Code Civ. Proc. Art. 969</p> <p>(a) To obtain a divorce under La. Code Civ. Proc. Art. 969, both parties shall be represented by counsel.</p> <p>(b) A judgment of divorce under La. Civ. Code art. 103(1) may be accomplished in accordance with La. Code Civ. Proc. art. 969(B). In those courts listed in Appendix 28.2A, the attorney for one of the parties shall complete the La. Code Civ. Proc. art. 969(B) uncontested divorce checklist in Appendix 28.2B. The checklist, if required, must accompany the filing of the judgment of divorce.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 28.2. JUDGMENT ON THE PLEADINGS AND SUMMARY JUDGMENT OF DIVORCE IN CHAMBERS UNDER LA. CODE CIV. PROC. ART. 969</p> <p>Section A. To obtain a divorce under La. Code Civ. Proc. Art. 969, both parties shall be represented by counsel.</p> <p>Section B. A judgment of divorce under La. Civ. Code art. 103(1) may be accomplished in accordance with La. Code Civ. Proc. art. 969(B).</p> <p>Section C. The submitting attorney shall complete <i>Form, Checklist For La. C.C. Art. 103 Divorce</i>.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 28.3. Forms Required for Waiver of Service and Citation</p> <p>See Appendix 28.3A for a form that may be used for waiver of service and citation in an action for divorce under La. Civ. Code art. 103. Courts that require use of a specific Appendix 28.3B form for waiver of service and citation in an action for divorce under La. Civ. Code art. 103 are listed in Appendix 28.3B.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 28.3. FORMS REQUIRED FOR WAIVER OF SERVICE AND CITATION</p> <p>For waiver of service and citation in an action for divorce under La. Civ. Code art. 103, the moving party must use <i>Form Z, Petition for Divorce – Civil Code Art. 103 Acceptance of Service, Waiver of Citation and Delays</i>.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>CHAPTER 29. CUSTODY AND VISITATION ORDERS</p>	
<p>Rule 29.0. Ex Parte Custody Orders</p> <p>(a) All petitions seeking an ex parte order for temporary custody of children shall comply with La. Code Civ. Proc. art. 3945. An appropriate <i>Affidavit of Mover in Compliance with La. C.C.P. art. 3945(B)</i> may be found in Appendix 29.0A. An Appendix 29.0B <i>Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B)</i> must accompany an <i>Application for Ex Parte Temporary Custody Order</i>.</p> <p>(b) Court-specific rules concerning ex parte custody orders may be found in Appendix 29.0C.</p>	<p>RULE 29. EX PARTE CUSTODY ORDERS</p> <p>Section A. All requests for ex parte custody shall strictly comply with La. R.S. 46:2135, La. C. Civ. Proc. Art. 3945, or La. Ch. C. Art. 1564, and shall be accompanied by <i>Form D, Ex Parte Request for Custody, Affidavit of Petitioner; and Form E, Ex Parte Request for Custody, Certification of Notice</i>. All requests for ex parte custody orders shall be filed with the Clerk of Court prior to presenting it to the Court. Ex parte requests shall not be presented to the Court without advance notice.</p>

<p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>Section B. All requests for ex parte custody shall be presented in Family Court Motion Hour when possible. In addition to <i>Form D, Ex Parte Request for Custody, Affidavit of Petitioner; and Form E Ex Parte Request for Custody, Certification of Notice</i>, there must be at least one (1) non-party affidavit attesting to the facts in support of the ex parte request, or documentary evidence supporting the affidavit.</p> <p>Section C. If an ex parte change of custody order is sought when a prior legal custody order exists, this information shall be noted in the ex parte request and the suit record must accompany the request.</p> <p>Section D. If an ex parte request was previously made, this information shall be noted in the ex parte request, as well as the Judge to whom it was presented and any orders or decisions made by the Judge.</p> <p>Section E. The certificate of notification to the opposing party must provide specific details of how and when the notification was given. See <i>Form E Ex Parte Request for Custody, Certification of Notice</i>.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 29.1. Temporary Custody Orders</p> <p>For court-specific rules on temporary custody orders, <i>see</i> Appendix 29.1.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 29.2. Joint Custody Implementation Plans</p> <p>For a listing of courts requiring the submission of a joint custody implementation plan, such as the plans in Appendices 29.2A and 29.2B, <i>see</i> Column II of Appendix 23.0A.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 29.3. Parenting Classes</p> <p>For court-specific rules concerning parenting classes, <i>see</i> Appendix 29.3.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 29.3. PARENTING CLASS</p> <p>In cases involving the custody of minor children, the parties may be required to attend a parenting class. Any party who refuses to comply with the order of the Court to attend the parenting class shall be subject to sanctions for contempt of court.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 29.4. Mediation</p> <p>For court-specific rules concerning mediation, <i>see</i> Appendix 29.4.</p>	<p>RULE 29.4. MEDIATION</p> <p>Section A. If the Hearing Officer or Court determines that a matter is appropriate for</p>

History: (Adopted April 30, 2015, effective July 1, 2015.)

mediation, a ***Mediation Order, Form Q***, shall be issued. The Hearing Officer or Court shall determine the terms and conditions upon which the parties shall participate in mediation. Prior to the execution of a mediation order, the parties may agree to a mediator of their choosing.

Section B. A party objecting to the order of mediation shall raise those objections at the Hearing Officer Conference. If a continuance is granted, the mediation order shall remain in effect unless the motion contains certification by both parties or their attorneys that mediation is not warranted.

Section C. In order to be listed as an approved mediator with the Family and Juvenile Court, an individual shall have successfully completed mediation training in accordance with La. R.S. 9:334, provided a resume and proof of professional liability insurance and be a practicing member of the Family Mediation Council of Louisiana. Individuals seeking to be placed on the list of approved mediators shall agree to charge according to the fee schedule promulgated by the Family and Juvenile Court Judges.

Section D. After mediation has been ordered, the appointed mediator shall file an ***Acceptance of Appointment and Initial Disclosure, Form R***, and the ***Initial Appointment Notice, Form S***.

Section E. 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.

Section F. Mediators shall preserve and maintain the confidentiality of mediation proceedings pursuant to La. R.S. 9:332 C.

- 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) Evidence of conduct or statements made in mediation is not admissible in any proceeding. This rule does not require the exclusion of any evidence otherwise discoverable merely because it is presented in the course of mediation. Facts disclosed, other than conduct or statements made in mediation, are not inadmissible by virtue of

	<p>first having been disclosed in mediation.</p> <p>4) The mediator shall not be named as a witness, nor may the mediator’s records be subpoenaed or used as evidence, nor shall the mediator’s deposition be taken, or any other discovery had against the mediator.</p> <p>Section G. At the conclusion of the mediation between the parties, the mediator shall submit to the Court a <i>Final Report of Mediator, Form T</i>. In the event a total or partial agreement is reached, a memorandum of understanding summarizing the nature and substance of the parties’ agreement shall be signed by both parties. The mediator shall provide to both parties and their respective legal counsel a copy of the agreement. The mediator shall notify the parties and their respective legal counsel that if there is no written objection to the agreement made within thirty (30) days from the date of the mailing of the agreement or prior to the hearing on custody, whichever occurs first, the mediator shall submit the agreement to the Court, with an accompanying order to make the agreement a judgment of the Court. In the event no agreement 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.</p> <p>Section H. Failure to schedule or attend mediation appointments or comply with the Court’s mediation order in any way may constitute contempt of court.</p> <p>Section I. The cost of mediation shall initially be borne proportionally as set by the Hearing Officer and/or the Court, unless the parties agree otherwise, and may be taxed as costs of court. The minimum portion paid by either party shall be 20% of the total cost. At the conclusion of mediation, if a mediator’s fee is not paid, it shall be certified by the mediator and placed in the record. 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.</p> <p>Section J. The maximum fee to be charged by the mediator, absent agreement of the parties, shall be TWO HUNDRED DOLLARS/HOUR (\$200.00).</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 29.5. Registration of Foreign or Out-of-State Custody Orders</p> <p>A sample form letter to register a foreign or out-of-state custody order may be found in Appendix 29.5.</p> <p>History: (Adopted April 30, 2015, effective July 1,</p>	

<p>2015.)</p> <p>Rule 29.6. Modification of an Existing Custody or Visitation Order</p> <p>For court-specific rules on modification of an existing custody or visitation order, <i>see</i> Appendix 29.6.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>CHAPTER 30. PARTITION OF COMMUNITY PROPERTY</p>	
<p>Rule 30.0. Sworn Detailed Descriptive List</p> <p>All detailed descriptive lists shall be filed in accordance with La. R.S. 9:2801. Appendix 30.0A contains a blank <i>Sworn Detailed Descriptive List</i> that parties may use in partition proceedings. Also, attached as Appendix 30.0B is a sample, completed <i>Sworn Detailed Descriptive List</i> that parties may use as a guide in completing the blank form.</p> <p>Appendix 30.0C contains a blank <i>Joint Detailed Descriptive List</i> that parties may use in partition proceedings. Also, attached as Appendix 30.0D is a sample, completed <i>Joint Detailed Descriptive List</i> that parties may use as a guide in completing the blank form.</p> <p>For court-specific rules concerning detailed descriptive lists, <i>see</i> Appendix 30.0E.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>Rule 30.0. SWORN DETAILED DESCRIPTIVE LIST</p> <p>Section A. All partition actions shall be commenced by petition, supplemental petition or reconventional demand and shall include a description of the claims the party seeks to have decided by the Court, and shall comply in all other respects with La. R.S. 9:2801.</p> <p>Section B. The sworn detailed descriptive lists filed by the parties shall be comparable with the <i>Detailed Descriptive List, Form X</i>. All partitions shall be filed in the same suit number of the divorce between the parties.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 30.1. Court-Appointed Special Masters and Experts</p> <p>For courts having special rules for appointed special masters and experts, <i>see</i> Appendix 30.1.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 30.2. Rules Governing Partition of Community Property</p> <p>For court-specific rules concerning partition of community property, <i>see</i> Appendix 30.2.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 30. 2. RULES GOVERNING PARTITIONING OF COMMUNITY PROPERTY</p> <p>Section A. Upon placement of the matter on the trial docket, the parties may have a Hearing Officer Conference before the Hearing Officer no less than thirty (30) days prior to trial.</p> <p>Section B. At least fifteen (15) days prior to the Hearing Officer Conference, each party through counsel shall confer with the other to prepare a <i>Combined Detailed Descriptive List, Form X</i>, or a comparable format. That combined list shall contain the following information:</p> <p>1) A list of all assets, liabilities, and</p>

reimbursement claims asserted by either party in their respective detailed descriptive lists;

- 2) A notation of all agreements between the parties as to the nature of the asset or liability and/or the value or balance due of each;
- 3) A notation of all agreements between the parties as to the validity and amounts of reimbursement claims;
- 4) A brief statement beside each asset, liability, and/or reimbursement claim about which there is a disagreement. The statement should indicate whether the dispute is factual, legal, or both and include a citation to any statute or case law upon which either party relies, if any; and
- 5) A list of witnesses to be called and exhibits to be introduced. Any objections to witnesses or exhibits should be noted on the combined list with a short explanation of the nature of the objection. Any witness or exhibit not set forth on the combined list will, at the discretion of the Court, be excluded from trial.
- 6) Any objection to testimonial or non-testimonial evidence.

The original ***Combined Detailed Descriptive List, Form X*** shall be presented to the Hearing Officer five (5) days prior to the Hearing Officer Conference.

Section C. Should either party seek appointment of an expert or, upon review of the unresolved issues it becomes apparent that an expert may be necessary to aid and assist the Court at trial, a designation of the expert shall be made by the Hearing Officer at the Hearing Officer Conference.

Section D. All documents provided in partitioning proceedings, that are not authenticated as required by evidentiary law shall be deemed authenticated at the partitioning trial, unless the receiving party notifies the supplying party of the objection to the non-authenticated items. The time delay for notification of the objection shall be:

- a) If received pursuant to discovery answers: the objection shall be made within 10 days from receipt.
- b) If received pursuant to partitioning proceedings: the objection shall be made no later than ten (10) days after receipt.
- c) If received pursuant to a pre-trial order: the objection shall be made no later than ten (10) days after receipt

It is recommended that the objection be in writing or electronic form.

The objection to the introduction of the evidence shall be noted in the ***Combined Sworn Detailed Descriptive List, Form X***.

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

Section F. In the event the Hearing Officer determines that the matter is appropriate for mediation, the Hearing Officer shall issue a ***Mediation Order, Form Q***, in accordance with Rule 29.4. If the parties are unable to resolve all issues at mediation, the parties shall return to the Hearing Officer for recommendations.

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

Section H. The Hearing Officer shall have the power to appoint a Special Master upon agreement of the parties in those cases involving extraordinary, unique, or extremely complex issues of fact and/or law. The costs shall be divided between the parties unless frivolous trial motions are made. The Special Master shall act as the Court's:

- 1) advisor on facts,
- 2) expert on the law, and
- 3) organizer of any evidence or experts.

The Special Master may take testimony and evidence, if necessary, to complete the report to the Judge. The testimony shall be taken in the same manner as a deposition and evidence/documents may be requested by letter. The Special Master is not to conduct a full trial, but is to advise the Court through written memorandum of the facts the experts have found and submit expert legal opinions on the specific issues needed to be addressed, including how the partition should be decided. The Special Master shall complete his investigation within ninety (90) days. In a written memorandum, the Special Master may request additional time, which may be granted upon good cause shown. A copy of the memorandum shall be provided to the parties by certified mail and they shall report to the Court within ten (10) days of the receipt of the

memorandum, if its content is accepted in its entirety or specifically list those items still in dispute, or items to which the party will stipulate. The Court may then indicate whether or not it will follow the memorandum. Either party shall retain the right to a full trial on the merits, should they disagree with the memorandum; however, the Court retains the right to cast one party for all of the Special Master’s costs and fees, if that party makes a frivolous motion for a full trial on the merits. La. C. Civ. Proc. Arts. 863 and 864 and the Disciplinary Code shall be used to determine if the motion for trial is frivolous.

Section I. If the parties are unable to resolve the community property partition at the Hearing Officer Conference, the Hearing Officer shall issue a written Hearing Officer Conference Report with recommendations on all unresolved issues at or within a reasonable time following the Hearing Officer Conference, or the Hearing Officer may refer all or part of the issues to the Judge without making a recommendation.

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

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

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

Effective date: June 1, 2017

CHAPTER 31. OTHER RULES

<p>Rule 31.0. Use of Electronic and Recording Devices</p> <p>For court-specific rules concerning the use of electronic and recording devices, <i>see</i> Appendix 31.0.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 31.0. RULES OF ORDER</p> <p>Sketching, photographing and/or recording by any means are prohibited in the courthouse. No cameras of any kind shall be permitted in the courtroom or other location of court proceedings without the permission of the Judge.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 31.1. Oral Arguments</p> <p>For court-specific rules concerning oral arguments, <i>see</i> Appendix 31.1.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 31.2. Enrollment and Withdrawal of Counsel</p> <p>For court-specific rules concerning enrollment and withdrawal of counsel, <i>see</i> Appendix 31.2.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 31.2. WITHDRAWAL OF COUNSEL</p> <p>Section A. If a case is not pending a hearing or trial, any attorney may, by ex parte order, be permitted to withdraw his representation of a party. The ex parte order shall be presented to the Judge of the division in which the case is pending. An attorney who has been permitted by ex parte order to withdraw shall give notice of same to all other counsel and all unrepresented parties.</p> <p>Section B. If a case is pending a hearing or trial, an attorney may withdraw his representation of a party only if the motion to withdraw is filed with an affidavit and supporting documentation that the withdrawing counsel gave written notification of their withdrawal and the next hearing date to their client. All opposing counsel, unrepresented parties, and the party whom the attorney represents shall be served with a copy of the motion. The Court may not grant the motion if doing so would necessitate the delaying or reassignment of the case for trial, unless consented to by opposing counsel, and if permitted by the Court.</p> <p>Section C. All motions to withdraw shall contain the last known mailing address and phone number of the attorney's client.</p> <p>Section D. Nothing in this rule shall be construed to prevent the substitution of counsel for a litigant at any time prior to commencement of hearing or trial, provided that the motion to substitute is signed by both the withdrawing and enrolling attorney and shall not retard the scheduled hearing or trial.</p> <p><i>See Title II, Uniform District Court Rule 9.13 and Code of Professional Conduct Rule 1.1.6</i></p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 31.3. Collaborative Divorce</p>	

<p>Procedures</p> <p>For court-specific rules concerning collaborative divorce procedures, <i>see</i> Appendix 31.3.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>PART II: RULES APPLICABLE ONLY TO FAMILY LAW PROCEEDINGS INVOLVING HEARING OFFICERS, DOMESTIC COMMISSIONERS, AND/OR MAGISTRATES</p>	
<p>CHAPTER 32. USE OF HEARING OFFICERS AND DOMESTIC COMMISSIONERS FOR FAMILY MATTERS</p>	
<p>Rule 32.0. Power and Authority of Hearing Officers and Domestic Commissioners</p> <p>Pursuant to Title IV-D of the Federal Social Security Act, La. R.S. 46:236.5, applicable articles of the Civil Code, the Code of Civil Procedure, the Children's Code, and the Revised Statutes, and in furtherance of Title IV of the Louisiana District Court Rules, a district court with family jurisdiction may adopt and implement an expedited process for the establishment, modification, and enforcement of paternity and support obligations and all other family proceedings as defined by La. R.S. 46:236.5 by authorizing and directing one or more court-appointed hearing officer(s) to hear family proceedings.</p> <p>Courts authorizing and directing court-appointed hearing officers, commissioners, and/or magistrates pursuant to La. R.S. 46:236.5 are listed in Appendix 32.0A. Court-specific rules on hearing officers and domestic commissioners appear in Appendix 32.0B.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 32. HEARING OFFICER – GENERAL RULES</p> <p>Section A. Pursuant to La. R.S. 46:236.5, applicable order articles of the Civil Code, the Code of Civil Procedure, the Children’s Code, and the Revised Statutes, and in furtherance of Title IV of the Louisiana District Court Rules, the Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations and all other family proceedings as defined by La. R.S. 46:236.5 by authorizing and directing the Family and Juvenile Court Judges of the 14th Judicial District Court to nominate one or more Hearing Officers to hear these matters, with the approval of a majority of Judges of the 14th Judicial District Court, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.</p> <p>Section B. The Hearing Officers shall have authority to perform and shall perform any and all duties assigned to them by the Judges of the Family and Juvenile Court which are authorized by law as it presently exists, or as it may be, from time to time, supplemented or amended in the future. The Hearing Officers shall be prohibited from appearing or practicing before the 14th Judicial District Court. The entire Court by majority vote shall fix the salaries of the Hearing Officers.</p> <p>Section C. Upon the filing of pleadings, the parties shall be required to attend a Hearing Officer Conference with the Hearing Officer except as noted in Section G. and H. A Hearing Officer</p>

Conference Order, Form G, shall accompany all pleadings filed. Each party shall provide documentation to the Hearing Officer and the other party in accordance with the **Hearing Officer Conference Order, Form G**.

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

Section E. Parties may testify to the extent deemed appropriate by the Hearing Officer. The parties or their respective counsel shall have an opportunity to provide a verbal statement of their positions to the Hearing Officer with regard to the issues before the Court.

Section F. The following rules to show cause shall be set for a Hearing Officer Conference utilizing the **Hearing Officer Conference Order, Form G**:

- 1) Child custody matters;
- 2) Child visitation matters;
- 3) Paternity and disavowal proceedings: A rule to show cause in accordance with LSA-R.S. 9:396 shall be heard by the Hearing Officer. A subsequent date shall be provided before the Judge for a pre-trial conference. Both dates shall be provided in the initial pleading. This Subsection does not apply to State non-support cases under Title IV;
- 4) Child support and ancillary issues;
- 5) Interim spousal support;
- 6) Permanent spousal support: The Hearing Office shall hear and make recommendations as to amount and fault. The Hearing Officer in his discretion may defer the issue of fault to the judge;
- 7) Contempt proceedings;
- 8) Injunctions to protect property;
- 9) Injunctions to protect persons (Title 9);

- 10) Relocation of children;
- 11) Mental health evaluation/counseling;
- 12) Termination of the community of acquets and gains; and
- 13) Any other matters deemed appropriate by the Court.

Section G. In the event the Hearing Officer determines that the matter is appropriate for mediation, the Hearing Officer shall issue a ***Mediation Order, Form Q***, in accordance with Rule 24.9. If the parties are unable to resolve all issues at mediation, the parties shall return to the Hearing Officer for recommendations.

Section H. The following rules to show cause shall be set for hearing before the assigned Judge, and shall not be set before a Hearing Officer:

- 1) Protective Orders;
- 2) Hearings pursuant to La.C.C.P. Art. 3945 (ex parte requests for custody);
- 3) An ex parte order DENIED at presentation shall then be referred to the Hearing Officer for further determination of issues, if necessary;
- 4) An ex parte order GRANTED at presentation shall be set for hearing before the assigned Judge.
- 5) Rules for divorce;
- 6) Exceptions;
- 7) Discovery motions; and
- 8) Rules to show cause why a Sworn Detailed Descriptive List should not be deemed a Judicial Determination of Community Assets and Liabilities.

Section I. The following rules to show cause may be set before the Hearing Officer, OR the assigned Judge:

- 1) Rules to terminate the community;
- 2) Mental health evaluation/counseling;
- 3) Substance abuse testing/treatment;
- 4) Anger management assessment/treatment; and
- 5) Domestic violence assessment/treatment.

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

Section N. If the parties are not able to resolve all of the issues during the Hearing Officer Conference, the Hearing Officer shall issue a written **Hearing Officer Conference Report** with recommendations/temporary orders on all unresolved issues at or within a reasonable time following the Hearing Officer Conference.

Section O. If the *Hearing Officer's Conference Report* is not prepared at the close of the hearing, then the attorneys and unrepresented parties shall sign *Form Y, "Notice of Method of Acceptance of Hearing Officer Conference Report"* specifying how they will receive the report.

Section P. A party may file an appeal, utilizing *Form O, Appeal of Hearing Officer's Report*, to the **Hearing Officer Conference Report** with the Clerk of Court within five (5) days of the issue date of the **Hearing Officer Conference Report**.

The five (5) day delay can be extended by agreement of the parties or the Hearing Officer if he deems appropriate.

A copy of the appeal shall be submitted contemporaneously and in the same manner to the Hearing Officer, and the opposing party/attorney.

The issue(s) appealed shall be specifically defined/enumerated. The Court shall hear only the specific issues raised in the appeal and any issues that flow from the specified issue. All issues that flow from an issue are automatically appealed. For example, an appeal can be filed on the issue of child support, and consequently the issue of tax exemption is also appealed as the amount of child support to be paid by a party also affects the tax deduction; conversely, if the issue of tax deduction is appealed, the issue of child support is not appealed.

Section Q. If an appeal to the **Hearing Officer Conference Report** is timely filed, it shall not be withdrawn or dismissed unless a consent judgment as to all objected matters is filed into the record before the rule date.

Section R. If an appeal is filed by any party, the issue(s) appealed is set for a de novo hearing before

the assigned Judge.

Section S. The Hearing Officer Conference Report shall become a temporary order pending the final disposition by the Court, except the following recommendations are NOT made a temporary order:

- 1) Contempt;
- 2) Change in legal custody: A change in legal custody is defined as:
 - a. Change from sole custody to joint custody; change from joint custody to sole custody;
 - b. Change in domiciliary parent status;
 - c. Change from supervised visitation to non-supervised visitation; change from non-supervised visitation to supervised visitation;
- 3) Any change in visitation;
- 4) Relocation of children;
- 5) Paternity determination;
- 6) Mental health evaluation/counseling;
- 7) Substance abuse testing/treatment;
- 8) Anger management assessment/treatment;
- 9) Domestic violence assessment/treatment, or
- 10) Partition of community property.

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

Section T. If an appeal to the **Hearing Officer Conference Report** is not timely filed, the **Hearing Officer Conference Report** shall become a final judgment of the Court and shall be presented to the Court for signature. A certification of no appeal to the **Hearing Officer Conference Report** must be noted on the final order.

The final judgment shall be served upon all parties in accordance with La. C.C.Pr. 1913.

Section U. A party served with notice of the Hearing Officer Conference and who failed to appear, shall receive no notice of the **Hearing Officer Conference Report**, and no notice of the appeal deadline.

Section V. If all issues are settled prior to a scheduled Hearing Officer Conference, the attorneys or parties, if unrepresented, shall notify

	<p>the Hearing Officer and the assigned Judge in writing to remove the matter from the Hearing Officer and Judge's calendar.</p> <p><i>Effective date: June 1, 2017</i></p>
<p>Rule 32.1. Application of General Rules and Local Appendices</p> <p>Where the rules in this Title are silent, Titles I and II of the Louisiana District Court Rules shall apply. To the extent that the powers of the hearing officers as set forth by Title IV-D of the Federal Social Security Act, La. R.S. 46:236.5, applicable articles of the Civil Code, the Code of Civil Procedure, the Children's Code, and the Revised Statutes are limited or modified by individual judicial districts, <i>see</i> Title IV Chapters 33 through 36 and their Appendices.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>CHAPTER 33. HEARING OFFICER PROCEDURES FOR TITLE IV-D FEDERAL SOCIAL SECURITY ACT</p>	
<p>Rule 33.0. Objections to Recommendations of Hearing Officers in Title IV-D Matters</p> <p>At the conclusion of the hearing, the hearing officer shall render a written recommendation to the court as provided for by La. R.S. 46:236.5(C)(5). Notice to litigants shall be as provided in District Court Rule 33.1.</p> <p>Any objection to the written recommendation of a hearing officer on a Title IV-D matter shall be filed within five (5) days, exclusive of legal holidays, from the issuance of the recommendation.</p> <p>Upon the timely filing of a written objection, the matter shall be set on the docket of the assigned district judge for hearing.</p> <p>If no written objection is timely filed to the hearing officer's written recommendations, the written recommendations shall become a final judgment of the court and shall be signed by a judge and shall be appealable as a final judgment. The judgment after signature by a district judge shall be served upon the parties in accordance with law.</p> <p>For court-specific rules concerning objections to written hearing officer recommendations in Title IV-D matters, <i>see</i> Appendix 33.0.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	<p>RULE 33. HEARING OFFICER AUTHORITY IN TITLE IV-D PROCEEDINGS FOR SUPPORT</p> <p>Section A. Pursuant to La. R.S. 46:236.5 and applicable articles of the Louisiana Children's Code, this Court implements an expedited process for the establishment, modification and enforcement of support obligations by appointment of one or more Hearing Officers to hear support and support-related matters. The Hearing Officer shall act as a finder of fact and shall make recommendations to the Court. At the conclusion of the hearing, the Hearing Officer shall render a written recommendation to the Court.</p> <p>Section B. Pursuant to the authority of La. R.S. 46:236.5, in all Title IV-D Social Security Act cases presently pending and arising in the future, the Court shall assess an additional five (5%) percent to each support obligation, including existing arrearages and future arrearages, as well as ongoing support payments.</p> <p>Section C. Unless otherwise ordered by the Court, the minutes of the Court shall reflect the amount made executory followed by the words "plus five (5%) percent thereof as a fee to fund the administrative costs of expedited process."</p> <p>Section D. Louisiana Department of Children and Family Services, Support Enforcement Services (SES), shall docket all non-support cases, both civil and criminal, pertaining to the establishment, collection and enforcement of support orders. Such cases shall be heard by the Hearing Officers appointed by the 14th Judicial District Court to</p>

preside over non-support hearings. The legal representatives of Support Enforcement Services shall represent the interest of the State at the hearings. The State shall be the prosecuting officer in these cases and shall have a representative in court when such cases are docketed.

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

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

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

Section G. All court proceedings shall be initiated by pleadings setting forth the relief sought by the moving party or the category of hearing which is being requested (i.e. reduction, contempt, etc.), as well as the names of all relevant parties and the docket number of the case.

All rules and motions filed on behalf of the defendant/payor must be submitted in writing with an appropriate certificate of service on opposing counsel.

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

Section H. At the hearings to initially set support or modification of an existing order, both the defendant and the person seeking the order of support or modification, shall bring to court, a copy of their two most recent federal tax returns, four recent pay check stubs or most recent pay check stub with a year-to-date gross earnings, proof of the cost for medical insurance premiums to insure the child or children only, and proof of child care expense, or certification/evidence of state or federal benefits.

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

	<p>In Responding URESA and Responding UIFSA matters, when the Respondent is ordered to contribute to the support of his dependents, the Court may order him to pay an additional amount as costs not to exceed 5% of the support order.</p> <p>Section J. Any objection to the Hearing Officer’s recommendations shall be made by utilizing <i>Form O, Appeal of Hearing Officer’s Conference Report</i>, and shall be filed with the Clerk of Court within five (5) days from the date of transmittal of the recommendation. The Hearing Officer Conference Report may be transmitted in open court, in chambers, or by mail. If transmitted by mail, notice shall be mailed to the location where service was made and the date of transmittal is date of mailing, as reflected on the notice filed in the record.</p> <p>Upon filing an appeal to the Hearing Officer Conference Report, a hearing shall be set before the assigned Judge; this hearing is a pre-trial conference unless the Judge determines the matter can be tried on that date. All parties must be present on this date.</p> <p>If no appeal to the Hearing Officer Conference Report is timely filed, the Hearing Officer Conference Report shall be a final judgment of the Court.</p> <p>Section K. Payment and collection of support shall be in accordance with La. R.S. 46:236.5 et. seq.</p> <p>Section L. Both parties in a court ordered support matter shall notify the Regional Support Enforcement Services Office in writing of any change of address, place of employment or change income.</p>
<p>Rule 33.1. Notice to Litigants</p> <p>In all Title IV-D matters, the hearing officer's written recommendations shall contain a written notice to the parties of the time and method for filing objections.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>CHAPTER 34. HEARING OFFICER AND DOMESTIC COMMISSIONER PROCEDURES FOR DOMESTIC VIOLENCE PROTECTIVE ORDERS</p>	
<p>Rule 34.0. Forms, Notices, and Orders Required</p> <p>Domestic Violence Protective Orders may be requested either by filing the appropriate Louisiana Protective Order Registry (LPOR) form, which may be obtained from the LPOR home</p>	

<p>page located at http://www.lasc.org/court_managed_prog/lpor.asp, or by incorporating a request for a protective order or injunction into any pleading. If the latter method is used, an appropriate LPOR Temporary Restraining Order form shall be completed and submitted with the petition seeking such relief. <i>See</i> Appendix 26.0A for a list of LPOR forms 1 to 23 mandated by La. R.S. 46:2136.2(C). <i>See</i> Appendix 26.0B for a listing of LPOR courtesy forms A through Z.</p> <p><i>See</i> Appendix 34.0 for court-specific rules concerning hearing officer procedures for Domestic Violence Protective Orders.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015; amended May 18, 2016, effective July 1, 2016.)</p>	
<p>Rule 34.1. Written Recommendations of Hearing Officers and Judgments of Domestic Commissioners</p> <p>If no written objection is timely filed to the hearing officer's written recommendations or judgment of the domestic commissioner, the written recommendations shall become a final judgment of the court and shall be signed by a judge and shall be appealable as a final judgment. The judgment after signature by a district judge shall be served upon the parties in accordance with law.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 34.2. Objections to Domestic Violence Protective Order Recommendations; Time for Filing</p> <p>All objections to hearing officer recommendations and judgments of domestic commissioners involving domestic violence protective orders or injunctions shall be made contemporaneously, at the close of the hearing. Any party desiring to object shall immediately notify the deputy clerk of court present in the courtroom. The hearing officer or domestic commissioner shall then ensure that a hearing date is obtained from the assigned judge, and shall notify the parties of same in open court. Both parties shall remain in the courtroom until notified of the date and place of the rehearing before the district judge. The rehearing shall be held thereafter in accordance with La. Code Civ. Proc. art. 3604(C).</p> <p>For court-specific rules concerning objections to rulings of a hearing officer or domestic commissioner and the time for filing such objections, <i>see</i> Appendix 34.2.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015; amended May 18, 2016, effective July 1, 2016.)</p>	
<p>Rule 34.3. Notice to Litigants</p> <p>In all proceedings for domestic violence protective orders or injunctions, the hearing officer's written recommendations and judgments of the domestic commissioner shall contain a written notice to the parties informing them of the above-stated time and method for filing objections.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	

<p>CHAPTER 35. GENERAL PROCEDURES FOR HEARING OFFICER CONFERENCES</p>	
<p>Rule 35.0. Scheduling</p> <p>In those courts where hearing officer conferences are required, the following rules are applicable:</p> <ul style="list-style-type: none"> (a) Upon filing pleadings on family proceedings, all parties will be required to attend a hearing officer conference with a hearing officer unless specifically waived by the court. (b) Each party shall provide documentation to the hearing officer and the other party in accordance with the <i>Hearing Officer Conference and Information Order</i>. (c) All parties shall be provided appropriate notice of the <i>Hearing Officer Conference and Information Order</i>. (d) The hearing officer conference will be scheduled expeditiously. All parties shall comply with the <i>Hearing Officer Conference and Information Order</i>. <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 35.1. Failure To Timely Comply with Hearing Officer Conference and Information Order and Affidavit</p> <p>If a party does not provide the required financial information as ordered by the court necessary for the hearing officer to make a determination as to the amount of child support or spousal support, then the hearing officer, in order to do substantial justice, may: (1) recommend that the party failing to produce the financial information be found in contempt of court with sanctions to be imposed; and/or (2) recommend that the matter be dismissed without prejudice; and/or (3) recommend that good cause exists to modify the retroactivity of the award; and/or (4) make temporary recommendations based upon the limited information provided; and/or (5) recommend that the attorney or self-represented parties who failed to produce the financial information pay the reasonable expenses, including attorney fees, caused by the failure. If the hearing officer is unable to make a recommendation based upon the information provided, the court may set a limited hearing for purposes of setting temporary child support or spousal support or contempt of court. The temporary order shall be without prejudice and shall not affect claims of retroactivity except for good cause shown.</p> <p>For court-specific rules concerning failure to timely comply with an Appendix 23.0D <i>Hearing Officer Conference and Information Order</i> and/or an Appendix 23.0B <i>Family Law Affidavit</i>, see Appendix 35.1.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 35.2. Hearing Officer Conference Report</p>	

<p>At or within a reasonable time following the hearing officer conference, the hearing officer shall also prepare a written conference report in compliance with La. R.S. 46:236.5(C)(5).</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 35.3. Failure To Appear or Remain for Hearing Officer Conference</p> <p>If a party or attorney who, after having been duly cited and served with process, fails to appear or remain for the duration of a hearing officer conference, or is ejected from the conference for disorderly or disruptive behavior, the hearing officer may impose or recommend a finding of contempt and appropriate sanctions in accordance with La. R.S. 46:236.5(C)(3)(f) and La. R.S. 46:236.5(C)(4)(g), or any other remedy provided by law.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 35.4. Stipulations at Hearing Officer Conference</p> <p>If both parties agree on some or all of the issues before the court during the hearing officer conference, the hearing officer shall prepare a written stipulation for the review and execution of the parties and their legal counsel (if represented), together with an appropriate judgment or order incorporating and implementing the agreement of the parties. The stipulation shall contain an acknowledgment that no objection or appeal may be filed. If the parties do not agree on all issues before the court, the hearing officer shall prepare a written conference report in accordance with La. R.S. 46:236.5(C)(5).</p> <p>A sample <i>Stipulation</i> form may be found in Appendix 35.4.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 35.5. Objections to Hearing Officer Recommendations Not Involving IV-D Child Support or Domestic Violence Protective Orders</p> <p>Any objection to the written recommendation of a hearing officer and judgment of the domestic commissioner shall be filed with the clerk of court within five (5) days, exclusive of legal holidays, from the issuance of the recommendation. For court-specific rules concerning objections to hearing officer recommendations and judgments of domestic commissioners, <i>see</i> Appendix 35.5.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015; amended May 18, 2016, effective July 1, 2016.)</p>	
<p>Rule 35.6. Method of Providing Notice of Objections To Opposing Parties</p> <p>A party filing an objection shall provide the hearing officer and all parties with a copy of the objection. The objecting party shall provide a copy of the objection to all parties at the same</p>	

<p>time and in the same manner in which the objection was delivered to the clerk of court, or in a manner in which all parties receive a copy at the same time or earlier.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 35.7. Trial After Objections Filed</p> <p>If any party files a timely objection to the recommendations of the hearing officer, then the matter shall be set before the judge for hearing. <i>See</i> Appendix 35.7 for court-specific rules for setting hearing dates. The judge shall not be bound by the recommendation of the hearing officer. Further, the judge may review the hearing officer's conference report, and shall accept, reject, or modify in whole or in part the findings of the hearing officer and give them such weight as deemed appropriate based on the evidence adduced at the hearing.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 35.8. Adoption of Hearing Officer's Recommendation As Temporary Order After Objection</p> <p>If a written objection to the hearing officer recommendation is timely filed, then the court may, in its discretion, adopt the findings as temporary orders, upon signature of the assigned judge, pending the final disposition of the claims by the court. Any temporary orders signed by the district judge shall be considered interlocutory. This temporary order shall be without prejudice and shall not affect the retroactivity claims of the parties.</p> <p>For court-specific rules concerning adoption of a hearing officer's recommendation as a temporary order after objection, <i>see</i> Appendix 35.8.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	
<p>Rule 35.9. Adoption of Hearing Officer Recommendations Upon Failure To Appear At Trial</p> <p>If an objecting party does not appear at the time on which the matter is scheduled for trial, then the judge shall accept, reject, or modify in whole or in part the findings of the hearing officer.</p> <p>History: (Adopted April 30, 2015, effective July 1, 2015.)</p>	