

RULES FOR LOUISIANA DISTRICT COURTS

TITLES I, II, and III

Fourteenth Judicial District Juvenile Court

Parish of Calcasieu

Chapter: 3

Chapter Title: Judges and Facsimile Transmissions to the Court

Appendix 3.1

Rule No: 3.1

Divisions or Sections of Court

There shall be a Family and Juvenile Docket in the Fourteenth Judicial District and that Docket shall be allotted to Divisions C and I. Matters heard on the Family and Juvenile Court Docket shall be as follows:

(1) Juvenile matters governed by the Louisiana Children's Code;

(2) All proceedings for the adoption of minors, to decree minors abandoned and for the relinquishment or termination of parental rights;

Sessions

Except when otherwise specially ordered, or as otherwise provided herein, court shall open its daily sessions at 9:00 A.M. A recess shall be taken from 12:00 noon until 1:30 P.M., and court shall adjourn at 4:30 P.M.

General Motion Hour shall be held at 9:00 a.m. on Monday, Wednesday and Friday. The Judge handling Motion Hour shall be the Duty Judge.

Appendix 3.2

Rule No: 3.2

Duty Judges

The Duty Judge should not sign a continuance assigned to the other division when the presiding Judge is available. The presiding Judge shall always be contacted if at all possible, and if the presiding Judge will not be available within a reasonable time the Duty Judge has the discretion to make the decision on the continuance.

There will be no regular Duty Judge during Christmas and New Year's week, the Judge's Summer School, the Annual Spring Judge's Conference, the Louisiana State Bar Convention and the Judicial College in October. The Judges shall make adequate arrangements to handle Duty Judge matters during these particular weeks.

Court Dockets

If a case which has previously been fixed for trial is settled or dismissed, the attorneys shall promptly notify the Clerk of Court and the presiding Judge to that effect.

The Clerk of Court shall furnish each Judge, no later than one week preceding his scheduled court week, a trial docket showing the number and title of the case, the attorneys of record, the date of the filing of the suit and the date that a request for trial was filed.

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:

- (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).

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:

- (1) Juvenile continued custody hearings and trials (Delinquency, Family in Need of Services, Child in Need of Care);
- (2) Trials of contested matters (custody, access, support, relocation and community property partitions);
- (3) Protective orders;
- (4) Rules; and
- (5) Hearing Officer Conferences.

Once a trial has commenced, it shall take preference over all other proceedings. Contested matters shall be heard with preference of assignment going to the first rule filed. The exception to this rule is community property partitions, which shall be heard with preference of assignment going to the first petition filed.

It is incumbent upon the attorney who has a potential conflict to immediately notify opposing counsel and the Court.

Allotment of Cases in Family & Juvenile Court

Family and Juvenile Court cases shall be allotted to Divisions C, H and I on an equal and 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.

Before allotment of a case, any Judge of Family and Juvenile Court may issue orders, including but not limited to preliminary and interlocutory orders, writs, executory process, pauper orders and in his discretion, grant an extension of time in which to plead.

Once a case has been allotted, all exceptions, motions, rules and trials on the merits shall be taken up by the Judge of the division to which the case is allotted. All matters to be heard within specified legal delays shall be heard by that Judge within the required time frame. However, the matter may be heard by any Judge within the legal delays by consent of the Judge who has been allotted the case. Any uncontested matter, preliminary default or confirmation of default may be taken up before any division of Family and Juvenile Court. In the event of an unexpected absence of all Judges in Family and Juvenile Court, any of the remaining Judges of the 14th Judicial District Court may hear any matter which was set for hearing before the absent Judge.

After a case has been allotted, it shall not be transferred to another Judge without the consent of the Judge to whom it is to be transferred, except in cases where the Judge to whom it was originally allotted is recused or for some other reason is unable to preside in the matter. If a Judge to whom a case has been allotted is recused or is unable to preside in the matter, the case shall be reallocated to another Judge in Family and Juvenile Court. If all judges in Family & Juvenile Court are recused or unable to preside in the matter, the case shall be reallocated randomly among the other Judges of the 14th Judicial District Court.

In case of voluntary or legal recusation, or where the docket of any division is carrying more than its fair share of the cases, or otherwise according to the discretion of the Judges, any case may be transferred from one division of Family and Juvenile Court to another by order approved by both Judges concerned; provided, however, that when two cases are consolidated for the purpose of trial, 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.

Appendix 18.0

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

Rule No: 18.0

Waiver of Formal Arraignment
