

TITLES I, II, and III

Chapter: 19 Chapter Title: Simultaneous Peremptory Challenges

Appendix 18

Rule No: 19.0

Simultaneous Peremptory Challenges

**1st Judicial District Court
Parish of Caddo**

Pursuant to Code of Criminal Procedure Article 788, the court adopts this rule to provide for a system of simultaneous exercise of peremptory challenges. At the conclusion of the examination of prospective jurors as provided in Article 786, those prospective jurors who have not been excused pursuant to a challenge for cause shall be tendered to the state and the defendant(s) for simultaneous exercise of peremptory challenge in writing in a manner to be determined by the court.

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

CRIMINAL JURY TRIALS

1. After the examination of prospective jurors in accordance with Code of Criminal Procedure Article 786, the Court may tender a prospective juror as provided by the first paragraph of Article 788 or, alternatively, may require simultaneous challenges as hereinafter provided in Sections 2 through 6.
 2. When the aforesaid examination of prospective jurors has been completed and all challenges for cause ruled upon, the name of each remaining prospective juror shall be submitted to the state and the defendant, whereupon they shall simultaneously accept or peremptorily challenge each juror submitted.
 3. The simultaneous acceptance or peremptory challenge of each juror shall be accomplished by the designation of the state and the defendant, on a written slip supplied to each by the Clerk of Court that each does either accept or challenge the juror.
 4. The slips to be provided by the Clerk of Court shall bear the name of the prospective juror, the words "Accepted" and "Challenged, Peremptorily", a place for the parties to check which election they make, and a designation as to which party (state or defendant) is making that election. The slips used shall be filed of record.
 5. If both the state and the defendant shall accept, the juror shall be immediately sworn. If either the state or defendant challenges, the prospective juror shall be excused and the use of a peremptory challenge by the appropriate party shall be noted. If the state and defendant both challenge, the prospective juror shall be excused and the use of a peremptory challenge by both the state and the defendant shall be noted.
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**3rd Judicial District Court
Parishes of Lincoln and Union**

The Third Judicial District Court does not allow a system of simultaneous peremptory challenges.

**4th Judicial District Court
Parishes of Morehouse and Ouachita**

Except in Capital Cases, the court has adopted a system of simultaneous challenges as allowed by C.Cr.P. Art. 788. After consideration of cause challenges, each side will exercise peremptory challenges in writing and present them to the court at the same time. If both sides challenge the same prospective juror, each will be charged with a peremptory challenge.

**5th Judicial District
Court
Parishes of
Franklin, Richland
and West Carroll**

Simultaneous challenges are allowed.

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

Pursuant to Code of Criminal Procedure Article 788, the court adopts this rule to provide for a system of simultaneous exercise of peremptory challenges. At the conclusion of the examination of prospective jurors as provided in Article 786, those prospective jurors who have not been excused pursuant to a challenge for cause shall be tendered to the state and the defendant(s) for simultaneous exercise of peremptory challenge in writing in a manner to be determined by the court.

**7th Judicial District
Court
Parishes of
Catahoula and
Concordia**

Simultaneous peremptory challenges allowed.

The simultaneous acceptance or peremptory challenge of each Juror shall be accomplished by the designation of the State and the Defendant, on a written form supplied to each by the Clerk of Court that each does either accept or challenge the Juror.

If both the State and the Defendant shall accept, the Juror shall be immediately sworn. If either the State or Defendant challenges, the prospective Juror shall be excused and the use of a peremptory challenge by the appropriate party shall be noted. If the State and Defendant both challenge, the prospective juror shall be excused and the use of a peremptory challenge by both the State and the Defendant shall be noted.

**8th Judicial District
Court
Parish of Winn**

Simultaneous peremptory challenges are allowed.

**9th Judicial District
Court
Parish of Rapides**

Simultaneous peremptory challenges are allowed.

TENDERING OF JURORS

Revised effective
Nov. 16, 2005

Prior to the voir dire examination of jurors, the judge in a civil or criminal case shall inform the attorneys for the parties or each party in a case where a party chooses to represent himself; whether the jurors will be tendered alternatively for challenges as provided by La. C.Cr.P. article 788 or La. C.C.P. article 1766 or challenged simultaneously in writing. If challenged simultaneously in writing, the following procedure shall apply:

1) After the examination of jurors as provided by the attorneys/parties, challenges for cause shall be made and communicated to the Court in a sidebar conference of the judge, the attorneys conducting the examination or a party where a party chooses to represent himself/herself. The conference shall be conducted in a manner where only the Court or the parties are aware of the challenges made until the Court announces the challenges without reference to any party or attorneys in the case.

2) The remaining jury panel not excused by challenge(s) for cause shall be tendered to all parties for simultaneous exercise of peremptory challenges on a form approved by the Court. The parties shall write the name of the juror(s) they wish to excuse on the appropriate form, sign their name and the party they represent and simultaneously present it to the Court. After excusing the jurors challenged, the Court shall file the written peremptory challenges of the parties in the record.

3) Regardless of whether each party challenges the same juror(s), the parties are only permitted to challenge the number of jurors as provided by law.

10th Judicial District Court
Parish of Natchitoches

Simultaneous peremptory challenges are allowed.

11th Judicial District Court
Parish of Sabine

The District does not authorize a system of simultaneous peremptory challenges.

12th Judicial District Court
Parish of Avoyelles

Simultaneous peremptory challenges are allowed.

13th Judicial District Court
Parish of Evangeline

Simultaneous peremptory challenges are allowed.

14th Judicial District Court
Parish of Calcasieu

This court has not adopted a rule providing for a system of simultaneous exercise of peremptory challenges.

15th Judicial District Court
Parishes of Acadia, Lafayette and Vermilion

The 15th Judicial District Court does not allow a system of simultaneous peremptory challenges.

16th Judicial District Court
Parishes of Iberia, St. Martin and St. Mary

No provision for simultaneous peremptory challenges is adopted.

17th Judicial District Court
Parish of Lafourche

This Court does not permit the system of simultaneous peremptory challenges in criminal jury trials.

18th Judicial District Court Parishes of Iberville, Pointe Coupee and West Baton Rouge	Simultaneous peremptory challenges are allowed.
19th Judicial District Court Parish of East Baton Rouge	State and defense challenges of the same juror are to be considered an exercise of a challenge by both the state and defense as authorized by C.Cr.P. Art. 788.
20th Judicial District Court Parishes of East Feliciana and West Feliciana	Pursuant to Code of Criminal Procedure Article 788 as amended by Act 603 of 1983 the Court adopts this local rule to provide for a system of simultaneous exercise of peremptory challenges. At the conclusion of the examination of prospective jurors, if the Court elects to utilize a system of simultaneous exercise of peremptory challenges in the instant trial, those prospective jurors who have not been excused for cause, shall be tendered to the State and to the defendant(s) for simultaneous exercise of peremptory challenges in writing in a manner to be determined by the Court.
21st Judicial District Court Parishes of Livingston, St. Helena and Tangipahoa	<p style="text-align: center;">RULE #XIX Section 2 OF THE 21ST JUDICIAL DISTRICT COURT</p> <p style="text-align: center;">SIMULTANEOUS EXERCISE OF PEREMPTORY CHALLENGES</p> <p>Section A. In any felony jury trial conducted in this Judicial District, the presiding judge may, in the judge's discretion, order the simultaneous exercise of peremptory challenges.</p> <p>Section B. If the judge elects to order simultaneous exercise of peremptory challenges, the judge shall inform the State and the Defendant of this election prior to the seating of the first panel of prospective jurors.</p> <p>Section C. The judge shall require the State and the Defendant to complete a form similar to Appendix 13 of these rules. The completed form shall be presented at side bar at the time jurors are tendered.</p> <p>Section D. If a prospective juror is challenged under both a challenge for cause and a peremptory challenge, and the court grants the challenge for cause, the challenging party shall not be deemed to have expended a peremptory challenge.</p> <p>Section E. If both the State and the Defendant exercise a peremptory challenge as to a particular prospective juror, both sides shall be deemed to have expended a peremptory challenge.</p>
22nd Judicial District Court Parishes of St. Tammany and Washington	Simultaneous peremptory exceptions are allowed at the trial judge's discretion.
23rd Judicial District Court Parishes of Ascension, Assumption and St.	Simultaneous peremptory challenges are allowed.

**24th Judicial District
Court**

CRIMINAL JURY TRIAL

Parish of Jefferson

After the examination of prospective jurors in accordance with the Louisiana Code of Criminal Procedure Article 786, the Court may tender a prospective juror as provided by Article 788. The challenge of prospective jurors by the parties shall take place in conformity with the Louisiana Code of Criminal Procedure Article 795 et seq.

**25th Judicial District
Court**

**Parish of
Plaquemines Parish**

Simultaneous peremptory challenges not allowed. Court alternates challenges.

**26th Judicial District
Court**

**Parishes of Bossier
and Webster**

In jury trials, both civil and criminal, peremptory challenges shall be exercised by all parties simultaneously.

All challenges shall be in writing and signed by the attorney or party if unrepresented.

**27th Judicial District
Court**

Parish of St. Landry

Simultaneous peremptory challenges are allowed.

**28th Judicial District
Court**

Parish of LaSalle

None.

**29th Judicial District
Court**

Parish of St. Charles

Simultaneous peremptory challenges are allowed.

**30th Judicial District
Court**

Parish of Vernon

This district court does not allow simultaneous peremptory challenges.

**31st Judicial District
Court**

**Parish of Jefferson
Davis**

Simultaneous challenges are not allowed.

**32nd Judicial District
Court
Parish of
Terrebonne**

Simultaneous peremptory challenges are allowed; trial judge discretion.

**33rd Judicial District
Court
Parish of Allen**

Simultaneous exercise of peremptory challenges is employed, if agreed to by counsel.

**34th Judicial District
Court
Parish of St. Bernard**

Simultaneous peremptory challenges are allowed.

**35th Judicial District
Court
Parish of Grant**

Simultaneous peremptory challenges are allowed.

**36th Judicial District
Court
Parish of
Beauregard**

CRIMINAL JURY SELECTION

1. After the examination of prospective jurors in accordance with Code of Criminal Procedure Article 786, the Court may tender a prospective juror as provided by the first paragraph of Article 788 or, alternatively, may require simultaneous challenges as hereinafter provided in Sections 2 through 6.
 2. Unless otherwise provided by the Court in a particular case, prospective jurors shall be called and examined on voir dire in groups of six at one time. The Court may permit individual voir dire in a particular case upon motion of any party when in the discretion of the Court the interest of justice would be served thereby.
 3. When the aforesaid examination of prospective jurors has been completed, the simultaneous acceptance or challenge of each juror shall be accomplished by the designation of the state and the defendant, on a written slip supplied to each by the Clerk of Court that each does either accept or challenge (whether for cause or peremptorily) each juror. Challenges for cause shall be ruled upon by the Court; if challenge for cause is denied, the party issuing such a challenge, after noting his objection to the Court's ruling for record, shall indicate for record, if he wishes to exercise a peremptory challenge for said juror.
 4. The ballots for simultaneous acceptance or challenge of jurors on voir dire shall be provided by the Clerk of Court to each party and shall provide space for the name and number of the prospective juror; the words "Accepted," "Challenged Peremptorily," and "Challenged Cause;" a place for the parties to check which election they make; and a designation as to which party (state or defendant) is making that election. The ballots used shall be filed of record.
 5. If both the state and the defendant shall accept, the juror may be immediately sworn. If either the state or defendant challenges, the prospective juror shall be excused and the use of a peremptory challenge by the appropriate party shall be noted. If the state and defendant both challenge, the prospective juror shall be excused and the use of a peremptory challenge by both the state and the defendant shall be noted.
 6. Jurors shall be called and seated in the order called until the prescribed number of jurors and alternates are selected.
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37th Judicial District Court Parish of Caldwell	Simultaneous challenges are not allowed.
38th Judicial District Court Parish of Cameron	Simultaneous peremptory challenges are allowed.
39th Judicial District Court Parish of Red River	Simultaneous peremptory challenges are allowed.
40th Judicial District Court Parish of St. John the Baptist	There is no provision for exercising simultaneous peremptory challenges.
Criminal District Court Parish of Orleans	Simultaneous challenge by state and defense is allowed and conducted in chambers or at the bench in the presence of the the court reporter and minute clerk as well as the judge, the state and the defense attorneys.

JURY TRIAL PROCEDURES

1. After the examination of prospective jurors in accordance with Code of Criminal Procedure Article 786, the Court may tender a prospective juror as provided by the first paragraph of Article 788, or alternatively, may require simultaneous challenges as hereinafter provided in Sections 2 through 6.
2. When the aforesaid examination of prospective jurors has been completed and all challenges for cause have been ruled upon, the name of each remaining prospective juror shall be submitted to the State and the defendant, whereupon they shall simultaneously accept or peremptorily challenge each juror submitted.
3. The simultaneous acceptance or peremptory challenge of each juror shall be accomplished by the designation of the State and the defendant at side bar with the Judge, not in open Court.
4. Once both the State and the defendant accept an adequate number of jurors, the jury shall be sworn as a whole, and the remaining members of the venire shall be dismissed.

Civil District Court Parish of Orleans	None.
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42nd Judicial District Court Parich of DeSoto Adopted effective	The District does not authorize a system of simultaneous peremptory challenges.
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