

COURT RULE AND ORDER
FOR
DOMESTIC PRE-TRIAL PROCEDURES

1. The Court shall schedule a Pre-Trial conference in all Summary Proceedings in any Family Law matter filed with the exception of the following classes of hearing:
 - A. A request for the grant of a Divorce under Civil Code Article 102.
 - B. A request that the community regime be terminated, based upon the parties living separate and apart for 30 days under Civil Code Article Civil Code Article 2378 (c),
 - C. Any hearing which does not require testimony.
 - D. Any matter in which an attorney certifies to the Court on the Domestic Case File Cover Sheet filed with the Clerk of Court, that there is no reasonable possibility of a settlement in the matter and that there are no evidentiary or other issues which can be disposed of which will expedite the trial of the matter. (See Domestic Cover Sheet)

2. Unless no Pre-Trial is required by Rule 2 above, any party filing a request for a hearing in a Family Law matter shall include the following language in the Order filed with the Court:

“The Court Orders that a Pre-Trial Conference take place on the _____ day of _____, _____ at _____ o’clock. All parties and their attorneys are Ordered to appear at said pre-trial conference and to prepare for the pre-trial conference as required by the attached Notice.”

3. In addition, the party filing the Order requesting the Pre-Trial shall attach to the Order the Notice which is attached to this Rule and entitled “Standing Order for Pre-Trial Conferences in Family Law Matters.”

4. The Clerk of the Court shall make copies of this Temporary Rule available to all attorneys in Rapides Parish, to any out-of-Parish attorneys involved in any Summary Proceedings filed during the test program, and to all members of the Public who file a request for the hearing of a Summary Proceeding without the assistance of counsel.

5. The Court shall attempt to hold the Pre-Trial conference with sufficient time for the parties to subpoena any witnesses which may be required for the hearing.

STANDING ORDER FOR PRETRIAL CONFERENCES IN FAMILY LAW MATTERS

I. The Ninth Judicial District Court has Ordered that a Pre-Trial conference be held in this matter, in accordance with an evaluation program being conducted by the Court. The purposes of the Pre-Trial Conference are:

- A. To discuss a resolution of any or all of the issues between the parties, without the necessity of a hearing;
- B. To resolve any Preliminary Motions or Exceptions which may dispose of the need for a hearing of the pending hearing;
- C. To resolve any issues affecting preparation for the Trial of the hearing;
- D. To discuss rescheduling the hearing to the earliest possible date which allows all parties to adequately prepare for the hearing; and,
- E. To enter an Order or Judgment as to all matters which can amicably be resolved without the necessity of a hearing on the issues pleaded.

II. All parties and their attorneys (if any) must attend the Pre-Trial Conference.

III. Each party shall prepare for the Pre-Trial conference as follows:

- A. Each party shall be prepared to identify and discuss the testimony of any witnesses they intend to use, if any.
- B. Each party shall be prepared to identify and discuss any exhibits which they intend to use.
- C. Each party shall be prepared to inform the Court of how much time is reasonably required to prepare for a hearing.
- D. Each party shall be prepared to inform the Court of how much time will be required for the Trial itself.
- E. If child custody or visitation is an issue, each party shall prepare a proposed custody plan for discussion. If a party in a custody or visitation proceeding has consulted a health care provider for any medical or mental health issue, the party shall be prepared to present any argument they may have as to why the Court should not Order the immediate signature of Medical Releases allowing their opponent to obtain the records for use at trial.
- F. If child support or spousal support is requested in the Rule, each party shall comply with Rule IV below.

IV. In support cases, the Court requires that the parties bring the following items to the Pre-Trial Conference:

A. *If child support is an issue in the case*, the parties shall each bring with them a proposed Guideline Worksheet for Child Support and Verified Income Statement, as provided by R.S. 9:315.2. All parties are advised that this statute requires that the following items be attached to the Income Statement:

- a. If you are employed, documentation of your income, which can be either:
 - 1. Your most recent pay stubs; or
 - 2. A statement from your employer showing your rate of pay and average monthly income
- b. If you are self employed, copies of the most recent and profit and loss statement from your business, or copies of your business receipts and expenses showing your net income.
- c. Your most recent federal tax return.
- d. Documentation of the cost of any Day Care, School Tuition and/or Health Insurance for the child or children.
- e. Documentation of any other expense or income the party may wish the Court to consider including those in support of any proposed deviations from the child support guidelines or in support of non-voluntary unemployment or underemployment, or in support of excessive community debts the party will be paying.

B. *If spousal support is to be an issue in the case*, the parties shall each bring with them an Affidavit in which they list all of their monthly Income, deductions therefrom and net income, and also list all their actual or proposed monthly expenses.
