

RULES FOR LOUISIANA DISTRICT COURTS

TITLES I, II, & III

THIRTY-FIFTH JUDICIAL DISTRICT COURT

PARISH OF GRANT

<p>Chapter: 2</p> <p>Appendix: 2.0</p> <p>Rule No: 2</p> <p>Local Holidays in Addition to Legal Holidays Listed in La. R.S. 1:55 See 2004 Amendment to La. R.S. 1:55(E)(1)(b) which, by reference to La. R.S. 1:55(B)(1)(a), adds Mardi Gras Day and General Election Day as legal holidays.</p>	<p>Chapter Title: Dates of Court</p> <p>Pecan Festival, 1st week in November</p>
<p>Chapter: 3</p> <p>Appendix: 3.1</p> <p>Rule No: 3.1</p> <p>Divisions or Sections of Court</p> <p>Amended effective April 27, 2020</p>	<p>Chapter Title: Judges and Facsimile Transmissions to the Court</p> <p>One Wednesday of each month is reserved for juvenile court matters. Other juvenile matters shall be heard by special fixing as warranted by the circumstances.</p>
<p>Appendix: 3.2</p> <p>Rule No: 3.2</p> <p>Duty Judges</p>	<p>Single Judge District</p>
<p>Appendix: 3.4</p> <p>Rule No: 3.4</p> <p>Court-Specific Rules</p>	<p>All provisions of law relating to the use of electronic signatures by Judges are hereby enacted, including but not limited to, La. Code of Civil Procedure Articles 253, 1911, or other applicable law found in the La. Code of Civil Procedure; Article</p>

Concerning Judges' Use of Electronic Signatures Appendix Amended effective April 1, 2020	162.2 and/or other applicable law found in the La. Code of Criminal Procedure; and La. R.S. 9:2601 et. seq. Warrantnow is designated and approved for the purposes of receiving electronic applications for warrants in the Thirty-Fifth Judicial District Court.
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Chapter: 4	Chapter Title: Court Personnel
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Appendix: 4.1	
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Rule No: 4.1	
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Judicial Administrators and Clerks of Court	
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Court Administrator	
35th Judicial District Court	
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Hon. Randall Briggs	
Clerk of Court	
Parish of Grant	
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Chapter: 9	Chapter Title: Procedure
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Appendix: 9.3	
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Rule No: 9.3	
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Allotments: Signing of Pleadings in Allotted and Non-Allotted Cases	
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Single judge district.	
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Appendix: 9.4	
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Rule No: 9.4	
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Presentation of Pleadings to the Court and Filing with the Clerk of Court	
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None.	
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Appendix: 9.14

Rule No: 9.14

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

When the case is ready for trial, a motion for a phone conference to select a trial date needs to be fixed. During the phone conference, with all attorneys of record, trial date is scheduled. A trial order is signed and forwarded to all parties.

THE PRE-TRIAL CONFERENCE

At least ten (10) days prior to the conference date, each side shall submit to the Court a pre-trial memorandum, which should be outlined as follows:

I. THE WITNESSES

II. THE EXHIBITS

III. THE FACTS

IV. THE ISSUES

V. THE LAW

VI. THE ARGUMENT

The case shall be in posture for trial, all discovery completed, all issues joined.

A trial date will be selected at the pre trial conference. If a subsequent agreement or settlement is reached disposing of the case, the attorneys are to notify the Court of this fact, WITHOUT DELAY, so that the docket may be reassigned.

JURY TERMS CIVIL AND CRIMINAL JURIES

A. One week of each month shall be set aside as Jury Week. Both Civil and matters may be set during this week.

B. Nothing herein shall prevent the Court from, in its discretion, converting a Civil Jury Criminal Term to a Criminal Jury Term or a Criminal Jury Term to a Civil Jury Term.

C. Special juries for the trial of civil or criminal cases may be called and impanelled from time to time as ordered by the Court.

<p>Appendix: 14.0A Rule No: 14</p> <p>System of Random Allotment of Criminal Cases (Other than Traffic, Wildlife, and Appeals from Lower Courts)</p>	<p>Single judge district.</p>
<p>Appendix: 14.0B Rule No: 14</p> <p>Random Allotment Traffic Offenses, Wildlife Offenses, and Appeals from Courts of Limited Jurisdiction</p>	<p>See Appendix 14.0A.</p>
<p>Appendix: 14.1 Rule No: 14.1</p> <p>Allotment - Defendant with More than One Felony Case</p>	<p>Single Judge District</p>
<p>Chapter: 15</p> <p>Appendix: 15.0 Rule No: 15.0</p> <p>Assignment of Cases, Filing of Motions, Pre-Trial and Status Conferences</p> <p>Amended eff. May 1, 2009; amended eff. April 26, 2010; Dec. 1, 2010; amended effective January 1, 2016.</p>	<p>Chapter Title: Assignment of Cases and Preliminary Motions</p> <p>A. PRE-TRIAL CONFERENCES</p> <p>All pre-trial conferences shall be scheduled two to three weeks before the trial after a written motion is filed by one of the parties.</p> <p>B. JURY TERMS, CIVIL AND CRIMINAL JURIES</p> <p>(1) One week of each month shall be set aside as jury week. Both civil and criminal matters may be set during this week.</p> <p>(2) Nothing herein shall prevent the Court from, in its discretion, converting a civil jury term to a criminal jury term or a criminal jury term to a civil jury term.</p> <p>(3) Special juries for the trial of civil or criminal cases may be called and impaneled from time to time as ordered by the Court.</p> <p>C. CRIMINAL MOTION PRACTICE; PREREQUISITES</p>

In any criminal proceeding, a hearing will not be set by the Court on a Brady motion or any discovery motion filed pursuant to La. C.Cr.P. arts. 716-729, unless the party filing the motion has requested in writing that the matter be set for a contradictory hearing. The motion requesting that the matter be set for a contradictory hearing shall contain a certification that the following prerequisites have been met:

(1) More than fifteen (15) calendar days have passed since the opposing party was served with the discovery motion;

(2) The discovery request has not been satisfied; and

(3) The mover diligently attempted to contact the other party to resolve the discovery issue and the parties have been unable to reach an agreement to resolve the discovery issue.

D. USE OF AUDIO-VISUAL ELECTRONIC EQUIPMENT

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

Appendix: 15.1

Rule No: 15.1

Appointment of Counsel

When the defendant is arraigned, he/she is interviewed to determine if he/she is eligible for an indigent defense. The judge makes a determination upon reviewing the defendant's financial resources and the defendant is notified by certified mail.

Appendix: 15.2

Rule No: 15.2

Alternative Method of Service on District Attorney

None.

Appendix: 15.3

Rule No: 15.3

Court-Specific Rules Concerning Simultaneous Appearance by a Party or Witness by Audio-Visual Transmission

A defendant's appearance at the following proceedings may, at the discretion of the presiding judge, be made by simultaneous transmission through audio-visual electronic equipment:

1. Any hearing conducted pursuant to La. Code of Criminal Procedure Article 230.1;
2. Initial setting of bond;

Appendix Effective January 1,
2016; amended effective
March 26, 2020.

3. Pretrial conference;
4. Hearing on a Pretrial Motion that does not involve the taking of testimony;
5. Arraignment;
6. Entry of plea of guilty or nolo contendere;
7. Revocation hearing for a probation violation;
8. Hearing for contempt of court;
9. Any post-conviction proceeding; and
10. Any other proceeding where specifically allowed by the Code of Criminal Procedure relative to simultaneous Audio/Visual Transmission.

Chapter: 19

Appendix: 19.0

Rule No: 19.0

Simultaneous Peremptory
Challenges

Chapter Title: Simultaneous Peremptory Challenges

Simultaneous peremptory challenges are allowed.