

SUPREME COURT OF LOUISIANA

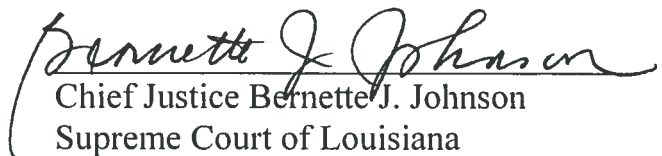
ORDER

Acting under the authority of Article V, Sections 1 and 5 of the Louisiana Constitution of 1974, and the inherent power of this Court, the Court hereby adopts amendments and additions, annexed hereto as Attachment A and incorporated herein, to the Rules for Louisiana District Courts and Juvenile Courts and Louisiana Family Law Proceedings, duly presented to this Court by the Supreme Court Committee on District Court Rules.

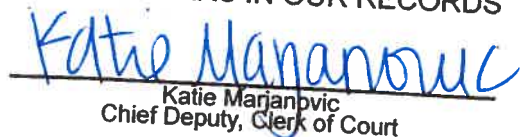
This Order shall become effective upon signing, and shall remain in full force and effect thereafter, until amended or changed under the authority of future orders of this Court.

New Orleans, Louisiana, this 14th day of May, 2020.

FOR THE COURT:


Chief Justice Bernette J. Johnson
Supreme Court of Louisiana

SUPREME COURT OF LOUISIANA
A TRUE COPY OF DOCUMENTS AS
SAME APPEARS IN OUR RECORDS


Katie Marjanovic
Chief Deputy, Clerk of Court

ATTACHMENT A

LOUISIANA DISTRICT COURT RULES

TITLE I: RULES FOR PROCEEDINGS IN DISTRICT COURTS, FAMILY COURTS, AND JUVENILE COURTS

PROPOSED NEW TITLE OF CHAPTER 3: JUDGES, FACSIMILE TRANSMISSIONS TO THE COURT, AND TECHNOLOGY-RELATED RULES

PROPOSED NEW RULE 3.5: SIMULTANEOUS APPEARANCE BY A PARTY OR WITNESS BY AUDIO-VISUAL TRANSMISSION

CHANGE OF TITLE TO CHAPTER 3 OF TITLE I:

CHAPTER 3: JUDGES, ~~AND~~ FACSIMILE TRANSMISSIONS TO THE COURT, AND TECHNOLOGY- RELATED RULES

ADDITION OF NEW RULE 3.5 TO CHAPTER 3 OF TITLE I:

Rule 3.5: Simultaneous Appearance by a Party or Witness by Audio-Visual Transmission

Courts may authorize simultaneous appearance by a party or witness by audio-visual transmission as allowed by law and/or by order of the Louisiana Supreme Court. See Appendix 3.5 for courts enacting rules related to simultaneous appearance by a party or witness by audio-visual transmission.

Comments

(a) This Rule and its accompanying Appendix replace former Rule 15.3 and Appendix 15.3.

(b) La. Code. Crim. Proc. arts. 522, 551, and 553 address audio-visual appearance through simultaneous transmission in criminal proceedings.

(c) See Orders of La. Supreme Court, April 6, 2020 and April 22, 2020, referencing remote proceedings, and that the consent in civil matters required in Section 6 of the Court's April 6, 2020 Order shall not be unreasonably withheld by any party, which shall be enforced by the trial judge pursuant to the authority granted by Louisiana Code of Civil Procedure Article 191, or as expressly provided by law.

LOUISIANA DISTRICT COURT RULES

TITLE III: RULES FOR CRIMINAL PROCEEDINGS IN DISTRICT COURTS

CHAPTER 15: ASSIGNMENT OF CASES AND PRELIMINARY MOTIONS

RULE 15.3: AUDIO-VISUAL APPEARANCES BY DEFENDANT

Rule 15.3. Audio-Visual Appearances by Defendant [REPEALED]

~~See Appendix 15.3 for courts enacting court rules pursuant to La. Code. Crim. Proc. arts. 522, 551, and 553, providing for audio-visual appearance through simultaneous transmission.~~

Historical and Statutory Notes

Former Rule 15.3 (“Audio-Visual Appearances by Defendant”) was repealed and replaced with Rule 3.5 on May 14, 2020. The contents of former Appendix 15.3, which accompanied former Rule 15.3, may now be found in Appendix 3.5.

LOUISIANA DISTRICT COURT RULES

TITLE V: RULES FOR JUVENILE PROCEEDINGS IN DISTRICT COURTS AND IN JUVENILE COURTS FOR THE PARISHES OF EAST BATON ROUGE, ORLEANS, JEFFERSON, AND CADDO

CHAPTER 46: ADOPTION PROCEEDINGS

RULE 46.0: FILING OF PLEADINGS; REQUIRED EXHIBITS

Rule 46.0: Filing of Pleadings; Required Exhibits

(a) General Applicability

All adoption proceedings shall conform to the requirements of the Children’s Code, other applicable laws, and all applicable Court Rules.

(b) Filing of Pleadings

All court proceedings shall be initiated by a written pleading of a party or attorney. The pleading may be a letter, petition, formal motion, or form rule. The written request shall set forth in general terms the relief sought by the moving party or the category of hearing that is being requested (i.e., review, contempt, etc.), the names and contact information of all relevant parties, and the docket number of the case.

(c) ICPC Approval

Approval of an adoptive child’s placement shall be in accordance with the Interstate Compact on the Placement of Children (ICPC), as set forth in Title XVI of the Children’s Code. Written evidence of the ICPC approval of such placement shall be filed with the court before the granting of judgment in an adoption proceeding.

(d) For court-specific rules on adoption proceedings, see Appendix 46.0.