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## CHAPTER 1 CONSTRUCTION, APPLICATION, AND AMENDMENT

### Rule 1.0 Construction of Rules and Appendices

These Rules are intended to govern interaction between the court, counsel, and litigants, and to ensure the administration of justice in an efficient and effective manner.

### Rule 1.1 Application of Rules

- (a) Title I applies to all proceedings in the City Court of Zachary .
- (b) Title II applies to all civil proceedings in the City Court of Zachary .
- (c) Title III applies to criminal proceedings in the City Court of Zachary .

### Rule 1.2 Effective Date

The effective date for proceedings in the City Court of Zachary is September 4, 2024. These Rules shall govern all proceedings commenced thereafter and, insofar as just and practicable, all proceedings then pending.

### Rule 1.3 Amendment of Rules

Proposed rules or amendments shall be approved by the Judge of the City Court of Zachary.

### Rule 1.4 Deviations from Rules

Deviation from these Rules are within the Judge's discretion when one or more parties are pro se.

## **Rule 1.5      Computation of Time**

The following rules apply in computing any period of time specified in these Rules provided they do not conflict with legislation:

- (a) Exclude the day of the act, event, or default that begins the period.
- (b) Exclude intermediate legal holidays when the period is fewer than seven days, unless the period is stated in calendar days.
- (c) Include the last day of the period, unless the last day is a legal holiday, in which case the period runs until the end of the next day that is not a legal holiday. *See* La. Code Civ. Proc. art. 966, as amended by House Bill No. 696 of the Louisiana Legislature's 2015 Regular Session, which shall govern the computing times on motions for summary judgment. For example:
  - (i) When a rule requires an act be done ten days before an event, and the tenth day falls on a Sunday, the act shall be done no later than the preceding Friday (assuming Friday is not a legal holiday). This does not apply to motions for summary judgment – *see* La. Code Civ. Proc. art. 966.
  - (ii) When a rule requires an act be done ten days after an event, and the tenth day falls on a Sunday, the act shall be done no later than the following Monday (assuming Monday is not a legal holiday).

### **Comments**

- (a) To determine whether a day is a legal holiday, refer to La. Code Civ. Proc. art. 5059 and La. R.S. 1:55. The holiday schedule for the City Court of Zachary can be found here.
- (b) Computation example for cases in which a Rule requires an act be done before an event: Rule 9.9(b) requires any opposition memorandum be filed at least eight calendar days before the scheduled hearing. If you wish to oppose an exception or motion that is set for hearing on Monday, December 16, 2002, the deadline for filing and serving an opposition memorandum is Friday, December 6, 2002 because Sunday, December 8, 2002 is a legal holiday.
- (c) This Rule governs only the computation of time under these Rules. This Rule is not intended to apply to computation of time under any legislation or any other law.

## **CHAPTER 2 DATES OF COURT**

### **Rule 2.0      Dates of Court**

The local holidays observed by the City Court of Zachary, in addition to legal holidays, can be found at [citycourtofzachary.org](http://citycourtofzachary.org)

#### **Comments**

- (a) *See* La. R.S. 1:55 for a listing of legal holidays.
- (b) *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.

## **CHAPTER 3 CLERK OF COURT HOURS**

### **Rule 3.0      Hours of the Clerk of Court**

The Clerk of Court shall maintain hours from 8:00 am to 4:30 pm, Monday to Friday.

## **CHAPTER 4 COURT PERSONNEL**

### **Rule 4.0      Court Reporters**

The court shall provide a method for making a verbatim recording of all proceedings conducted in open court.

## **CHAPTER 5 COURTROOM AND BUILDING USE, ACCESSIBILITY, AND SECURITY**

### **Rule 5.0      Accessibility to Judicial Proceedings**

The facilities, services, and programs of the court shall be readily accessible to persons with disabilities. Attached as Form 5.0A is a form that may be used to request reasonable accommodations extended under the Americans with Disabilities Act. Attached as Form 5.0B is a form that may be used to request an interpreter.

#### **Comment**

For rules concerning court interpreters, the interpreter's oath, and other matters related to language access in court proceedings and operations, *see* Part G, Section 14 of the Rules of the Supreme Court of Louisiana. This Rule was reenacted effective January 4, 2023.

## **Rule 5.1 Courtroom and Building Security**

The Marshal or his or her designated Deputy Marshals shall provide security for the courtrooms, chambers, judicial offices, and hallways within the court building.

- (a) Security Personnel shall inspect all objects carried by persons entering the court building. No one shall enter or remain on the premises without submitting to such an inspection.
- (b) Security Personnel may search the person of anyone entering the Court Building or any space in it. Anyone who refuses to permit such a search shall be denied entry.

## **Rule 5.2 Cell Phone, Audio Recording & Video Recording in the Court Building**

- (a) Unless authorized by the Court no camera, video or audio recording equipment, cellular telephone, smart watch, tablet, pager, laptop computer or other type of electrical or electronic device shall be brought into the premises. No person shall introduce or attempt to introduce any type of camera, recording equipment, or other type of electrical or electronic device into the premises without court permission.
- (b) Attorneys appearing before the Court and serving as counsel of record and law enforcement officers are allowed to enter the court building with a cell phone, smart watch, laptop computer or tablet without seeking permission from the Judge. While in the courtroom or chambers the use of the cell phone is limited to accessing the calendar feature, provided the Judge has so directed. Attorneys and law enforcement officers seated in the courtroom may not use electronic devices unless permitted by the Judge.
- (c) Any violation of this rule or if any electronic device which rings or makes any other noise in the courtroom, chambers or in the hallways outside of a courtroom shall be subject to seizure and may not be returned to the owner as well as a fine for contempt of court and/or imprisonment.

## **CHAPTER 6 COURTROOM DECORUM AND THE CONDUCT OF ATTORNEYS AND JUDGES**

### **Rule 6.0 The Opening of Court**

The Marshal shall open each session of court with an appropriate recitation and order.

The Marshal shall direct all persons in the courtroom when they are to rise, in accordance with the directions of the court.

### **Rule 6.1 General Courtroom Conduct**

- (d) No person may engage in any conduct that would be disruptive to the business of the court,

including the following:

- (1) Using tobacco in any form at any time.
  - (2) Reading newspapers while court is in session.
  - (3) Displaying any political advertisement of any nature.
- (e) Attorneys, as officers of the court, shall help to maintain the dignity of the court. Male attorneys shall wear coats and ties in the courtroom. Female attorneys shall wear a comparable level of attire.
- (f) No one may wear a hat, shorts, sleeveless shirts, or be barefoot in the courtroom. Witnesses and spectators shall appear neat and clean, within the limits of propriety. The court will make allowances for those who shall appear in work clothes and for those whose attire is dictated by their religion.

## **Rule 6.2 Attorney Conduct**

- (a) Any attorney who tenders himself or herself before the court and represents that he or she is duly authorized to practice law, but who has been declared ineligible, suspended, or disbarred from practice before the courts of this State, shall be subject to contempt proceedings.
- (b) No one may represent a party in any proceeding except counsel of record, unless allowed to do so by law.
- (c) When an attorney is interested in two or more matters fixed for hearing in different courts on the same day, that attorney shall notify the clerk of the court that he or she expects to be temporarily absent due to his or her presence in another court and provide an anticipated time for arrival in the City Court of Zachary.
- (d) As a general rule, attorneys desiring to address the court while it is in session shall do so while standing. Unless directed otherwise by the Judge, all judgments, orders, decrees, or other documents shall be handed to the clerk, who shall hand them to the Judge.
- (e) Private conversation or conference between attorneys or others in attendance during any court session should not be disruptive to the proceedings.
- (f) Attorneys shall address all remarks, objections, and comments to the Judge, never opposing counsel. Impromptu arguments or discussion between counsel will not be permitted.
- (g) Except with leave of court obtained, only one attorney for each party shall examine any

one witness, make an opening statement and a closing argument.

- (h) Counsel may not approach the witness in the witness chair without first obtaining the court's permission.
- (i) Before showing an exhibit to a witness, counsel shall first either show the opposing counsel the exhibit or provide opposing counsel with a copy of the exhibit.
- (j) Counsel and parties to any litigation shall not send the court copies of correspondence between them.
- (k) Attorneys shall abide by the Rules of Professional Conduct and should abide by the Louisiana Code of Professionalism, the latter of which is set forth below:

### **The Louisiana Code of Professionalism**

- My word is my bond.
- I will conduct myself with honesty, dignity, civility, courtesy and fairness and will not engage in any demeaning or derogatory actions or commentary toward others.
- I will not knowingly make statements of fact or law that are untrue or misleading and I will clearly identify for other counsel changes I have made in documents submitted to me.
- I will be punctual in my communication with clients, other counsel and the court. I will honor scheduled appearances and will cooperate with other counsel in all respects.
- I will allow counsel fair opportunity to respond and will grant reasonable requests for extensions of time.
- I will not abuse or misuse the law, its procedures or the participants in the judicial process.
- I will cooperate with counsel and the court to reduce the cost of litigation and will not file or oppose pleadings, conduct discovery or utilize any course of conduct for the purpose of undue delay or harassment of any other counsel or party.
- I will not engage in personal attacks on other counsel or the court or use the threat of sanctions as a litigation tactic.
- I will support my profession's efforts to enforce its disciplinary rules and will not make unfounded allegations of unethical conduct about other counsel.
- I will work to protect and improve the image of the legal profession in the eyes of the public.
- I will endeavor to improve our system of justice.
- I will use technology, including social media, responsibly. My words and actions, no matter how conveyed, should reflect the professionalism expected of me as a lawyer.
- I will seek opportunities to be of service to the bench and bar and assist those who cannot afford legal help.
- I will be supportive of new members in the profession.
- I will stay informed about changes in the law, communication, and technology which affect the practice of law.

### **Comments**

- (a) The Louisiana Code of Professionalism was authored by the Professionalism and Quality of Life Committee of the Louisiana State Bar Association in 1991. It was adopted by the Louisiana State Bar Association House of Delegates and approved by the Supreme Court of Louisiana in January 1992.
- (b) Rule 6.2(j) is not intended to prohibit attaching correspondence between counsel to a pleading where appropriate, such as to show that attempts have been made to schedule a conference to resolve discovery disputes under Rule 10.1.

### **Rule 6.3 Code of Professionalism in the Courts**

Attorneys and judges should conform to the Code of Professionalism adopted as Section 11 of Part G, General Administrative Rules, Supreme Court of Louisiana:

#### **The Code of Professionalism in the Courts**

##### **PREAMBLE**

The following standards are designed to encourage us, the judges and lawyers, to meet our obligations to each other, to litigants and to the system of justice, and thereby achieve the twin goals of professionalism and civility, both of which are hallmarks of a learned profession dedicated to public service.

These standards shall not be used as a basis for litigation or sanctions or penalties. Nothing in these standards alters or detracts from existing disciplinary codes or alters the existing standards of conduct against which judicial or lawyer negligence may be determined.

However, these standards should be reviewed and followed by all judges of the State of Louisiana. Copies may be made available to clients to reinforce our obligation to maintain and foster these standards.

##### **JUDGES DUTIES TO THE COURT**

We will be courteous, respectful, and civil to lawyers, parties, and witnesses. We will maintain control of the proceedings, recognizing that judges have both the obligation and authority to insure that all

litigation proceedings are conducted in a civil manner.

We will not employ hostile, demeaning, or humiliating words in opinions or in written or oral communications with lawyers, parties, or witnesses.

We will be punctual in convening all hearings, meetings, and conferences; if delayed, we will notify counsel, if possible. We will be considerate of time schedules of lawyers, parties, and witnesses in scheduling all hearings, meetings and conferences. We will make all reasonable efforts to decide promptly all matters presented to us for decision.

We will give the issues in controversy deliberate, impartial, and studied analysis and consideration.

While endeavoring to resolve disputes efficiently, we will be considerate of the time constraints and pressures imposed on lawyers by the exigencies of litigation practice.

We recognize that a lawyer has a right and a duty to present a cause fully and properly, and that a litigant has a right to a fair and impartial hearing. Within the practical limits of time, we will allow lawyers to present proper arguments and to make a complete and accurate record.

We will not impugn the integrity or professionalism of any lawyer based on clients whom or the causes which a lawyer represents.

We will do our best to ensure that court personnel act civilly toward lawyers, parties, and witnesses.

We will not adopt procedures that needlessly increase litigation expenses.

We will bring to lawyers' attention uncivil conduct which we observe.

We will be courteous, respectful, and civil in opinions, ever mindful that a position articulated by another Judge is the result of that judge's earnest effort to interpret the law and the facts correctly.

We will abstain from disparaging personal remarks or criticisms, or sarcastic or demeaning comments about another Judge in all written and oral communications.

We will endeavor to work with other judges in an effort to foster a spirit of cooperation in our mutual goal of enhancing the

administration of justice.

### **LAWYERS DUTIES TO THE COURTS**

We will speak and write civilly and respectfully in all communications with the court.

We will be punctual and prepared for all court appearances so that all hearings, conferences, and trials may commence on time; if delayed, we will notify the court and counsel, if possible.

We will be considerate of the time constraints and pressures on the court and court staff inherent in their efforts to administer justice.

We will not engage in any conduct that brings disorder or disruption to the courtroom. We will advise our clients and witnesses appearing in court of the proper conduct expected and required there and, to the best of our ability, prevent our clients and witnesses from creating disorder or disruption.

We will not knowingly misrepresent, mischaracterize, misquote, or miscite facts or authorities in any oral or written communication to the court.

We will not engage in ex parte communication on any pending action.

We will attempt to verify the availability of necessary participants and witnesses before dates for hearings or trials are set, or if that is not feasible, immediately after such date has been set, so we can promptly notify the court of any likely problems.

We will act and speak civilly to court marshals, clerks, court reporters, secretaries, and law clerks with an awareness that they too, are an integral part of the judicial system.

## **Rule 6.4                      Court Standards**

The City Court of Zachary complies with the Standards adopted as Section 10 of Part G, General Administrative Rules, Supreme Court of Louisiana:

### **I.            ACCESS TO JUSTICE**

#### **Standard 1.1 Public Proceedings**

The court conducts openly its judicial proceedings that are public by law or custom.

#### **Standard 1.2 Safety, Accessibility, and Convenience**

The court encourages responsible parties to make court facilities safe, accessible and convenient.

#### **Standard 1.3 Effective Participation**

All who appear before the court are given reasonable opportunities to participate effectively without undue hardship or inconvenience.

#### **Standard 1.4 Courtesy, Responsiveness, and Respect**

Judges and other trial court personnel are courteous and responsive to the public and accord respect to all with whom they come into contact.

#### **Standard 1.5 Affordable Cost of Access**

The court encourages all responsible public bodies and public officers to make the costs of access to the trial courts proceedings and records – whether measured in terms of money, time, or the procedures that must be followed – reasonable, fair, and affordable.

### **II.           EXPEDITION AND TIMELINESS**

#### **Standard 2.1 Case Processing**

The trial court encourages timely case management and processing.

#### **Standard 2.2 Required Reports and Requests for Information**

The trial court promptly provides required reports and responds to requests for information.

#### **Standard 2.3 Prompt Implementation of Law and Procedure**

The trial court promptly implements changes in the law and procedure.

### **III.          EQUALITY, FAIRNESS, AND INTEGRITY**

#### **Standard 3.1 Fair and Reliable Judicial Process**

Trial court procedures faithfully adhere to laws, procedural rules, and established policies.

#### Standard 3.2 Court Decisions and Actions

Trial courts give individual attention to cases, deciding them without undue disparity among like cases and upon legally relevant factors.

#### Standard 3.3 Clarity

Decisions of the trial court address clearly the issues presented to it and, where appropriate, specify how compliance can be achieved.

#### Standard 3.4 Responsibility for Enforcement

The trial court takes appropriate responsibility for the enforcement of its orders.

#### Standard 3.5 Production and Preservation of Records

Records of all relevant court decisions and actions are accurate and properly preserved.

### IV. INDEPENDENCE AND ACCOUNTABILITY

#### Standard 4.1 Independence and Comity

The trial court maintains its constitutional independence and observes the principle of cooperation with other branches of government.

#### Standard 4.2 Accountability for Public Resources

The trial court responsibly seeks, uses, and accounts for its public resources.

#### Standard 4.3 Personnel Practices and Decisions

The trial court uses fair employment practices.

#### Standard 4.4 Public Education

The trial court informs the community of its structure, function, and programs.

#### Standard 4.5 Response to Changes

The trial court recognizes new conditions or emergent events and adjusts its operations as

necessary.

## **V. PUBLIC TRUST AND CONFIDENCE**

### **Standard 5.1 Accessibility**

The trial court and the justice it renders are perceived by the public as accessible.

### **Standard 5.2 Fair, Impartial, and Expeditious Court Functions**

The trial court functions fairly, impartially, and expeditiously in order that the public has trust and confidence in the integrity of the decisions of the court.

### **Standard 5.3 Judicial Independence and Accountability**

The trial court is perceived to be independent, cooperative with other components of government, and accountable.

## **CHAPTER 7 RECORD MANAGEMENT**

### **Rule 7.0 Record Management**

The clerk of court shall maintain and destroy records according to law.

## **CHAPTER 8 INDIGENTS AND IN FORMA PAUPERIS**

### **Rule 8.0 Uniform In Forma Pauperis Affidavit**

A party, other than an inmate, who wishes to proceed in forma pauperis shall complete and file the affidavit in Form 8.0.

### **Rule 8.1 Traversal of In Forma Pauperis Status**

The court, on its own motion or the motion of any party, may hold a hearing to traverse the right of any litigant to proceed in forma pauperis.

### **Rule 8.2 No Recommendation from Clerk of Court Required**

No recommendation from the clerk of courts office as to whether a litigant is in fact indigent need be attached to an affidavit of poverty submitted by a party wishing to proceed in forma pauperis. No requirement that such a recommendation be attached, pursuant to La. Code Civ. Proc. art. 5183, may be instituted except by amendment to these Rules.

## **CHAPTER 9            PUBLIC RECORDS**

### **Rule 9.0            Public Records Requests**

All Inquiries regarding the request of public records must be made to the Clerk of Court, Quawanda Jackson, via email at [quawanda.jackson@zacharycitycourt.org](mailto:quawanda.jackson@zacharycitycourt.org). Once an inquiry is made, a Public Records Request Form and a list of fees will be sent back to the requestor.