

# COURTHOUSE AND COURTROOM RESTRICTIONS DURING PHASE 1 REOPENING

*Issued by 15<sup>th</sup> Judicial District Family Court on April 30, 2020*

**PLEASE READ THE FOLLOWING CAREFULLY AS THE RESTRICTIONS WILL AFFECT YOUR ABILITY TO ENTER THE COURTHOUSE AND TRY YOUR CASE**

## A. Entering the Courthouse

1. No person shall enter the Courthouse if they are diagnosed with Covid-19 or suffering from any of the following symptoms:
  - Cough
  - Shortness of breath or difficulty breathing

*Or at least two (2) of these symptoms:*

  - Fever
  - Chills
  - Repeated shaking with chills
  - Muscle pain
  - Headache
  - Sore throat
  - New loss of taste or smell
2. All persons entering the Courthouse are required to wear a mask. If you do not have a mask, you can make one by following the simple instructions on the Center for Disease Control website at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html> or you may view the video at <https://www.youtube.com/watch?v=tPx1yqvJgf4>. Gloves are optional.
3. Only parties (plaintiff or moving party and defendant or responding party in the legal proceeding) and their attorneys of record will be allowed in the Courthouse and courtroom at the commencement of your hearing. You may have to provide your name and case information upon entering the Courthouse. If you do not have an attorney (self-represented), bring your court papers with you to the Courthouse so your case can be identified and you can be directed to the appropriate courtroom.

## B. Trying your case

1. Once inside the Courthouse and courtroom, you will have to practice social distancing of six (6) feet from other individuals. As a consequence, you may be asked to wait in another courtroom or area of the Courthouse or outside the Courthouse until your case is called for hearing.
2. Elevator occupancy is restricted to two (2) persons with each person standing in the corner of the elevator. Due to the limited number of elevators at the Courthouses (four [4] in Lafayette and one [1] in Acadia and Vermilion), please arrive at the Lafayette Courthouse at least thirty (30) minutes prior to your hearing, and at the Acadia and Vermilion

Courthouses at least twenty (20) prior to your hearing, to insure that you are able to get to the courtroom on time.

3. If you want individuals to testify for you at your hearing (witnesses), all witnesses must be placed on stand-by, waiting either outside the Courthouse or at a nearby location within fifteen (15) minutes of the Courthouse. If you are representing yourself, you will need to have your witnesses' telephone numbers with you on your person (in Lafayette and Vermilion Parishes, non-attorneys cannot bring their cell phones into the Courthouse or courtroom, respectively, and the Court does not have time for you to retrieve telephone numbers from your cell phone out in your car). In Lafayette and Vermilion Parishes, when a self-represented party is ready for a witness to testify, they will have to telephone the witness from a telephone in the Courthouse.
4. Due to the high volume of rules that had to be re-fixed for hearing since March 17, 2020, the Court will have limited time to handle each case. The Court will do its best to assist the parties in reaching either a temporary order to stabilize the family situation or a final judgment to conclude the matter. Rules that cannot be resolved by a final judgment requiring more than limited testimony will have to be reset to a docket at a later date.
5. Merits fixings will continue to be handled as prior to the Courthouse closures. These cases are typically set on Mondays and the Court typically has scheduled the entirety of the week to try them.
6. If your Hearing Officer Conference was rescheduled due to the Courthouse closure and you were unable to have a telephone Hearing Officer Conference, you must appear at the scheduled hearing so that the Court can assist the parties in reaching a temporary order awaiting your rescheduled Hearing Officer Conference.
7. In the courtroom, you may be instructed by the Judge or Hearing Officer to remove your mask if you are testifying or addressing the Court while maintaining social distancing of six (6) feet.
8. Local Court Rules (Rules for District Courts, Title IV, Appendix 24.7A) require that in any matter in which witnesses are expected to testify or exhibits (documents, audio or video recordings, photographs, text messages or emails, etc.) introduced into evidence, the moving party and/or plaintiff shall provide a witness list and a copy of all exhibits reasonably expected to be introduced into evidence to opposing counsel or unrepresented party at least ten (10) days prior to the scheduled hearing or trial. The responding party and/or defendant shall provide a witness list and a copy of all exhibits reasonably expected to be introduced into evidence to opposing counsel or unrepresented party at least seven (7) days prior to hearing or trial. A party's failure to timely exchange witness lists and exhibits may result in the Court excluding the witness testimony or exhibits if objected to by the opposing party.
9. Proper preparation and handling of exhibits in the courtroom:

- a. The Court cannot view or listen to exhibits contained on the hard drive of a cell phone, tablet or other computer device as they are not capable of being introduced into evidence in that format.
  - b. Photographs, text messages, emails and documents must be printed, hard copies, so they can be introduced into evidence. Photographs, text messages, emails or documents on a flash drive or compact disc (CD) cannot be introduced into evidence as an exhibit. You should bring your original exhibits and four (4) copies to the Courthouse. The original exhibits will be placed into evidence if admitted by the Judge; the copies are for the witness, the opposing party and the judge, to view during witness testimony in order to prevent the originals from being handled by multiple individuals.
  - c. Audio and video recordings shall be on a flash drive or compact disc (CD) that can be viewed or listened to in the courtroom and introduced into evidence. Attorneys shall provide the necessary computer equipment to play the audio or video recording in the courtroom. Self-represented parties must have Court permission in advance to bring computer equipment into the Courthouse and courtroom to play the flash drive or CD. A self-represented party may utilize a court computer upon providing the Judge's office with a request at least three (3) days in advance of the hearing; however, the Court cannot guarantee that the recording will properly play on the computer provided.
  - d. All persons shall use hand sanitizer, which will be available in the courtroom, before passing exhibits to another person in the courtroom.
10. If a party desires to participate by or have a remote proceeding in accordance with the April 22, 2020, Order of Louisiana Chief Justice Bernette J. Johnson, the party shall file a written request with the Clerk of Court in writing with a copy being simultaneously provided to the other party by the same means of transmission (hand delivery, e-filing, fax filing or United States Mail) as the filed request. According to Chief Justice Johnson's Order, "[The] consent for remote proceedings in civil matters 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."