

Self-Represented Litigant

Rule for Contempt

This form is intended for litigants who:

- ✓ Wish to have another person adjudicated for violating a judgment or order of the court.

Information you will need:

1. The docket number of the case this Rule for Contempt is related to.
2. The exact name and address of the other party in this matter that you will need to serve (or the other party's counsel).

Instructions:

These instructions are meant to guide you through the process of filing a **Rule for Contempt**.

This packet of forms is not legal advice and cannot take the place of the advice that a lawyer can give you. It is always best to speak with a lawyer before taking any legal action. **When you represent yourself in court, you must follow all the proper procedures and the law. It is your responsibility to see your case through the whole process.**

1. Be sure you have the correct form.
2. Read the instructions before you begin.
3. Fill in the blanks with 100% accurate information. *Any false statement made in court or written in a court document may constitute perjury.*
4. Check all options that pertain to your situation.
5. Attach any supporting documentation (i.e. a doctor's note) related to your request.
6. Once you have filled out your petition, verify that all answers are correct and complete.
7. If you have trouble reading, writing, or understanding what is contained within this Rule for Contempt, seek help at the 25th Judicial District Clerk of Court's Office at 301 Main Street, Suite 108 in Belle Chasse, in the Government Annex Building, (504) 934-6610 or at the new Courthouse, 18055 Hwy 15, Pointe-a-la-Hache.

1 STEP ONE - THE RULE

The first step is to fill out and file the “Rule for Contempt” form with the attached “Order.” Read everything carefully, double check the information you fill in, and make sure you fill out the forms completely.

These instructions will guide you through the Rule for Contempt paragraph by paragraph.

- The top part of this form is your case information. There should already be a case open if you are trying to obtain an order of contempt. You will have to get all of the case information from the Clerk’s office when you file it. The information that you put in this part must match the open case information. Leave this part blank for now if you are unsure.
- The beginning paragraph asks you to fill in your name and the parish and state where you permanently reside.
- The next blank spaces asks you to fill in the information about the case. To fill this part out, it’s a good idea to have a copy of the judgment or order with you. Write the case title in the next two blanks. This is usually listed at the top of your order and looks something like “John Doe v. Jane Doe.” In the next blank, write the date the order or judgment was issued. Next, write what the judgment ordered.
- The next paragraph asks you to give the name of the person who violated this judgment and the reasons why you believe they violated the order or judgment. You may add additional pages if necessary.
- Next, sign and provide your name, address and telephone number in the spaces under where it says “Respectfully submitted.”
- DO NOT fill in the portion where it says “Order”. The Court will fill this part out.

2 STEP TWO - FILING

The next step is to take your papers to file with the Clerk of Court’s office. About 5-10 days after filing, you will have to check back with the Clerk’s office to find out the date and time that you were assigned to come to court.

After you’ve filled out the “Rule for Contempt”, you must file the document and a copy of the judgment or order you are alleging to have been violated with the Clerk of Court’s office.

- You must go to 25th Judicial District Clerk of Court’s Office at 301 Main St, Suite 108, Belle Chasse [Government Annex] or at the new Courthouse, 18055 Hwy 15, Pointe-a-la-Hache. The office is open 8:30am – 4:30pm Monday through Friday, excluding legal holidays. For more information, you can call the Clerk of Court’s Office at (504) 934-6610.
- You must file the original forms that you filled out. It’s also a good idea to make 2 copies of your filled out forms and bring

them with you. When you file the originals, ask the Clerk of Court's office to stamp your copies for your records.

- The Clerk of Court's office can also provide your case information, like the name of your case, your case number, and your division. Write this information down and keep it because you will need it to check the status of your case.
- Any time you file something with the Clerk of Court's office, you will have to pay a filing fee, unless you have been granted pauper (IFP) status. There are different fees for different documents. The Clerk of Court's office can tell you how much the fees are.
- If you cannot afford to pre-pay the costs, you may request to file as a pauper by checking the second box. You also have to fill out and file a separate "In Forma Pauperis" form, which you can get from the Self-Help Resource Center or the Clerk of Court's office. *IMPORTANT- Pauper status doesn't make filing free, but only lets you go without paying in advance. You may have to pay court costs after the case is over.

Once you file your Rule with the Clerk of Court's office, it will take a little time for it to get to the judge's office. Once the judge signs it, the judge's office will send the Rule back to the Clerk of Court's office. Check with the Clerk's office 5 to 10 days after you file the Rule to find out what your court date will be. Please be patient because the court deals with a lot of matters.

After the judge signs the Rule and a court date is set, you must serve the defendant with the Rule. You are responsible for providing an accurate address for the defendant. You are responsible for the cost of service. A hearing cannot take place if the defendant is not properly served.

3 STEP THREE - COMING TO COURT

This is the final step in obtaining an order of contempt. You will have to come to court to put on your case and explain to the judge why you allege that the order of judgment has been violated.

Be sure to bring any evidence or witnesses that will help you prove your case. Remember, it is your responsibility to show the court why you should get an order of contempt. You have to prove this in court using testimony from the witnesses and any documentary evidence proving the violation of the judgment or order.

Make sure you are present in the courtroom on the day and time that you were given by the court. Get to court early to allow time for traffic, parking, walking to the courthouse, and getting through security.

Go to the courtroom and wait quietly until your case is called. When your case is called, stand up and go forward. The judge will allow you to call your witnesses and testify first. The judge will also allow the other side to question you and your witnesses. Make sure to introduce any evidence that you brought with you when it's your turn.

The first court date that you will be assigned will be on a “Rule Day.” On Rule Days, the court allows 30 minutes per case, with 15 minutes given to each side. If you cannot prove your case in that time, the court *may* schedule another trial date where you will have more time.

No cell phones are allowed in the courtroom. You must leave your cell phone in your vehicle.

25TH JUDICIAL DISTRICT COURT
PARISH OF PLAQUEMINES
STATE OF LOUISIANA

Case No. _____

DIV. _____

STATE OF LOUISIANA

VERSUS

DEFENDANT

FILED: _____

DEPUTY CLERK: _____

RULE FOR CONTEMPT

NOW INTO COURT, comes _____ (name) a person of the full age of majority and domiciled in _____ Parish, State of _____, (*Parish and State where you permanently reside*) who respectfully represents that an order was issued in the case titled _____ v. _____ (case name) and dated ___/___/_____ (dd/mm/yyyy) which stated

_____ (information about judgment).

Furthermore, _____, (*name*) has violated this judgment and is in Contempt of Court for the following reasons: _____

_____.

Add additional pages if necessary.

Respectfully Submitted:

Signature: _____

Name: _____

Address: _____

City, State Zip: _____

Telephone: _____

ORDER

(Leave blank. The Judge will fill this out if applicable.)

Considering the foregoing rule, _____ is hereby ordered to appear on the _____ day of _____, _____ at _____ am/pm, to show cause why s/he should not be held in contempt of court.

Belle Chasse, Louisiana, this _____ day of _____, 20____.

JUDGE, 25TH JUDICIAL DISTRICT COURT

PLEASE SERVE:

_____ (Name)
_____ (Address)

_____ (Phone Number)