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**LOCAL RULES OF THE COURT OF APPEAL, THIRD
CIRCUIT, SUPPLEMENTING AND/OR SUPERSEDING
UNIFORM RULES—COURTS OF APPEAL**

FILING FEE SCHEDULE

Current filing fees may be determined by contacting the Clerk of Court’s Office at 337-433-9403 or from the Court’s website at www.la3circuit.org.

NOTICE—BRIEFS

The conference of the judges of the Court of Appeal, Third Circuit, voted July 1, 1987, to strictly enforce Uniform Rules—Courts of Appeal 2-12.6, REPLY BRIEF, and in particular, the last sentence, which provides that “No further briefs may be filed except by leave of court.”

Effective July 1, 1987.

LOCAL RULE 1.

When the appellant has not filed a timely brief, the appellee is hereby automatically granted an extension of twenty (20) days from the date the appellant files a brief with this court within which to file a timely appellee brief or a supplemental appellee brief.

Credits

Amended April 27, 2022. Effective January 1, 2023.

LOCAL RULE 2. SPECIAL SUMMARY DOCKET

- A. A special docket is created for those appeals which qualify for summary disposition. **Uniform Rules, Courts of Appeal, Rule 2-11.3.** Summary docket cases are those which involve limited issues, or which are governed by well-established and well-recognized rules of law.
- B. A panel of three judges will be drawn to preside over the special docket each month. This will be in addition to their individual duties and responsibilities under the regular docket of the court. The panel will preside over the special docket for two days during the month, scheduling 12 cases for each of the two-day sittings. Oral argument of not more than 10 minutes per side will be allowed. Each case will be allotted to one judge who will be responsible for reporting the case after argument.

Counsel who have previously requested and been granted permission to orally argue, will be permitted to reaffirm their desire to present oral argument. If oral argument is desired, it must be requested within ten (10) days of the receipt of notice that the case is being placed on the Special Summary Docket. Request for oral argument by one side does not, unlike the rules pertaining to the regular docket, preserve oral argument for the other side. Each side must separately request oral argument.

- C. Counsel are to be notified at least 30 days before the case is scheduled for hearing. They shall be notified that the case will be heard on the special docket. Counsel who have previously requested and been granted permission to argue, shall be permitted to reaffirm their desire to present oral arguments. All counsel may be instructed that if their previously filed brief exceeds ten pages in length, they may be instructed to file a memorandum of argument which summarizes their previously filed brief, no less than ten days before the scheduled hearing date.
- D. The ultimate decision as to whether to treat a special docket case summarily, i.e., by per curiam or memorandum opinion disposition, will be made by two of the three judges on the special docket panel. If, after hearing, a special docket case is found to be unsuitable for expedited disposition, it will

nevertheless be heard, but as a regularly processed appeal instead of a special docket appeal.

E. Following each day of argument, the three-judge panel will hold a conference on the cases docketed for that day and make a disposition of each case. The form of the opinion by means of which the court's decision is expressed will be either a memorandum, as described in Uniform Rules, Courts of Appeal, Rule 2-16.1(a)(2) and (b)(2) or a per curiam, as described in Rule 2-16.1(a)(3).

F. The above procedural rules apply to both civil and criminal appeals.

Credits

Adopted March 1, 1992. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 2.

LOCAL RULE 3. BRIEFING TIME

During the pendency of a motion to dismiss an appeal, or a rule to show cause issued by the court, the court may, on its own motion or on motion of any party to the suit, suspend briefing time.

Credits

Adopted Nov. 1, 1992. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 3, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 3.

LOCAL RULE 4. NOTICE OF SETTLEMENT

In every civil case it shall be the duty of the attorney for the appellant, or if in proper person, the appellant, to notify this court immediately of a settlement of the case, and to provide this court within a reasonable time thereafter, not more than thirty days from date of settlement, with a written Motion to Dismiss the Appeal. Failure to conform to this rule will subject the appellant's attorney or the appellant to sanctions.

Credits

Adopted January 20, 1993. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 4, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 4.

LOCAL RULE 5. FILING FEES FOR MOTIONS AND ANSWERS TO APPEAL

- I. The filing fee for a Motion for Extension of Time shall be in the amount of Fifty Dollars. The extension shall not exceed **fifteen** days unless good cause is shown.
- II. The filing fee for a Motion to Exceed Page Limitation shall be in the amount of Fifty Dollars. The page limitation shall not exceed the maximum of ten pages in excess of the original page limitation.
- III. The filing fee for an Amicus Brief shall be in the amount of One Hundred Dollars.
- IV. The filing of a Motion to Continue or refix Oral Argument shall be in the amount of One Hundred Dollars.
- V. The filing fee for any motion relating to an unlodged appeal, or unlodged writ application shall be in the amount of One Hundred Thirty-eight Dollars.
- VI. The filing fee in connection with a miscellaneous motion not mentioned above shall be in the amount of Fifty Dollars. Examples would be a Motion to Enroll, Motion to Remand, Motion for Stay, Motion for Expedited Consideration, Motion to Strike, Motion to Consolidate, etc.
- VII. The fee for filing an Answer to the Appeal shall be One Hundred, Twenty-seven Dollars and Fifty Cent.

Credits

Adopted effective Jan. 20, 1993. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 5, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 5.

LOCAL RULE 6. JURISDICTIONAL INDEX

The clerk of each trial court in the parishes of this circuit shall include in the record of each appeal to this court the applicable jurisdictional index in the form shown as Appendix A--Civil Jurisdictional Index, as Appendix B--Criminal Jurisdictional Index, as Appendix C--City Court Jurisdictional Index as Appendix D--Workers'

Compensation Jurisdictional Index, and as Appendix F--Juvenile Jurisdictional Index.

The Jurisdictional Index required by this rule is in addition to the indices required by Rule 2-1.4, URCA.

Credits

Adopted effective April 1, 1993. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 6, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 6.

LOCAL RULE 7. FEE FOR COPIES OF OR FAXES OF OPINION OR PARTS OF THE RECORD

The fee for copies of opinions or parts of the record made by the clerk shall be one dollar and fifty cents (\$1.50) per page. A fee of two dollars (\$2.00) per page shall be charged for all material sent by fax.

Credits

Adopted effective Feb. 1, 1993. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 7, 8 LSA-R.S., LA ST A CT 3 CIR Rule 7

LOCAL RULE 8. DEPOSIT FOR COST OF MAILING

In every civil appeal, the clerk of the trial court shall collect and forward to the clerk of the court of appeal, in addition to the filing fee for the appeal, the sum of ten dollars (\$10.00) to defray the cost of mailing notices by the Court of Appeal.

In every civil writ, the Clerk of the Court of Appeal shall collect, in addition to the filing fee for the writ, the sum of \$10.00 to defray the cost of mailing of notices by the Court of Appeal.

Credits

Adopted Feb. 15, 1993. Amended Nov. 1, 1995. Amended April 27, 2022. Effective January 1, 2023.

Court of Appeal, 3rd Cir. Local Rule 8, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 8.

LOCAL RULE 9. FILING FEE IN ALL CRIMINAL CASES AND IN ALL PROCEEDINGS CONNECTED WITH CRIMINAL CASES

In all criminal cases, in all proceedings connected with criminal cases, and in all appeals taken from sentences imposed for the violation of municipal or parochial ordinances, the entire cost to the clerk shall be fifty dollars (\$50.00).

Credits

Adopted Feb. 15, 1993. Amended April 27, 2022. Effective January 1, 2023.

Court of Appeal, 3rd Cir.-Local Rule 9, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 9.

LOCAL RULE 10. FACSIMILE OR EMAIL FILING RULES

- I. “Facsimile filing” or “filing by fax” means the facsimile transmission of a document to this court for filing with this court. “Email filing” means the transmission of a document to this court for filing with this court **via the court’s emergency filing email address.**
- II. Facsimile or email filing will only be accepted by this court in the case of an emergency writ.
- III. “Emergency writ” is defined as a situation where a trial court sets a return date that would otherwise bar a party from completing a timely filing with this court due to geographic distance from this office, or where the time frame is such that if the party could physically deliver the filing timely, the court would be burdened with undue time restraints in considering the application and rendering an order.
- IV. *NO* filing will be accepted without prior contact with the clerk's office to advise the nature of the emergency, request authority to proceed with the fax or email filing and notification of the approximate time of transmittal.
- V. All filings must be complete and in compliance with the Uniform Rules of Courts of Appeal at the time of transmission. Additionally, any facsimile or email filing must be sequentially numbered, beginning with the first page of the writ application and ending with the last page of the facsimile transmittal or email.

- VI. Once an application is received by fax or email, any responses or oppositions by opposing counsel may also be received by the same method.
- VII. A facsimile filing shall be accompanied by a facsimile cover sheet. The cover sheet shall be the first page transmitted and clearly identify the sender by name, fax number, email address, and voice telephone number. It should also identify the documents being transmitted by caption and matter and the number of pages. Any risk associated with the use of facsimile transmissions shall lie with the sender.
- VIII. An email filing shall be accompanied by a cover letter. The cover letter shall be attached separately to the first email transmission and should clearly identify the sender by name, email address, and voice telephone number. A document being emailed shall be in the form of a pdf file and shall not contain more than 50 pages. If the filing contains more than 50 pages, it shall be broken down into separate files each containing 50 pages or less. The cover letter should also identify the documents being emailed by caption, matter, the number of forthcoming documents, and total number of pages. The sender shall assume all risks associated with the use of email transmissions.
- IX. Notwithstanding any provisions of law to the contrary, a signature produced by facsimile or email transmission will be treated as an original. A party who files a signed document by fax or email represents that the original physically signed document is in his or her possession or control and can be made available for review as necessary for any subsequent challenge to authenticity.
- X. Payment of filing fees and charges levied by the court for use of facsimile or email filing shall be paid in the manner prescribed by this court.
 - 1) The filing fee, accompanied by a copy of the facsimile or email filing cover sheet shall be deposited in the U.S. mail no later than the day following the transmission.
 - 2) Non-receipt of payments will result in suspension of facsimile or email privileges, the striking of pleadings for which fees were not tendered and any other penalties deemed appropriate within the discretion of the Court.

XI. The following service charge will be assessed over and above the court's standard filing fees for civil and criminal writs for all fax or email filings to cover duplicating, operating and maintenance costs.

- 1) Each document from 1 to 10 pages in length filed by fax or email shall be assessed a \$25.00 service charge. Each page exceeding 10 pages will be assessed a service charge of \$2.00 per page.
- 2) This service charge will be added to the standard filing fee of this court and shall be paid as provided in **X**.

Credits

Adopted Sept. 29, 1993. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir.-Local Rule 10, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 10.

LOCAL RULE 11. MOTIONS TO DISMISS IN CRIMINAL CASES.

Any Motion to Dismiss submitted in a criminal case shall contain an affidavit signed by the defendant indicating he has been advised of the Motion to Dismiss and agrees to the dismissal of the appeal or writ application. Any Motion to Dismiss received without this affidavit will not be considered by this court and will be returned unfiled.

Credits

Adopted May 28, 1997. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 11, 8 LSA-R.S., LA ST A CT 3 CIR Internal Rule 11.

LOCAL RULE 12. WRITS; NOTIFICATION OF STATUS OF CASE.

When an application for writs is sought, the application shall contain a separate statement of the status of the case. This statement shall include information concerning the current status of the case and any relevant trial or hearing dates. The applicant shall notify this court immediately of any change in the status of the case, including, but not limited to, the setting or rescheduling of the trial date or any relevant hearing date.

Credits

Adopted May 28, 1997. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 12, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 12.

LOCAL RULE 13. ASSIGNMENTS OF ERROR--CRIMINAL CASES

A written designation of the assignments of error to be urged on appeal in a criminal case shall be filed with this court on or before the date of filing of the appellant's brief with this court. Accompanying this designation shall be a certificate of service indicating a copy has been forwarded to the trial court and all counsel of record.

Credits

Adopted effective Oct. 28, 1997. Amended April 27, 2022. Effective January 1, 2023. Court of Appeal, 3rd Cir. Local Rule 13, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 13.

LOCAL RULE 14. CRIMINAL MATTERS--CERTIFICATE OF SERVICE

Any criminal pleadings filed with this court shall contain a Certificate of Service, properly setting forth service has been made upon the trial judge and opposing counsel in the same manner that service was made with this court. In any pro se filing with this court, the certificate shall additionally indicate service has been made on current counsel of record for the defendant, if any, and counsel for the State. Any pleading filed without the proper certificate of service may be returned, unfiled, to the filing party.

Additionally, in all criminal appeals counsel for defendant shall complete the form contained in Appendix E, forward a copy of the form to the defendant and attach the original completed form to the brief submitted to this court for filing. Any brief submitted by counsel for defendant will be returned unfiled if the original form is not attached to the brief at the time of its submission to this court or if the form is incomplete.

Credits

Adopted Jan. 1, 1999. Amended April 27, 2022. Effective January 1, 2023. Court of Appeal, 3rd Cir. Local Rule 14, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 14.

LOCAL RULE 15. ADDITIONAL PREPARATION OF BRIEFS

All briefs will be set in a plain Roman style, 14 point or larger, although italics or bold face may be used for emphasis. Case names must be italicized or underlined.

Original briefs on 8-1/2" x 14" paper shall not exceed 31 pages; reply briefs on such paper shall not exceed 13 pages. Original briefs on 8-1/2" x 11" paper shall not exceed 41 pages; reply briefs on such paper shall not exceed 18 pages.

Credits

Adopted January 1, 2001. Amended April 27, 2005. Amended April 3, 2006. Amended Feb. 26, 2014. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 15, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 15.

LOCAL RULE 16. FILING OF OPPOSITION/REPLY BRIEFS TO SUPERVISORY WRIT APPLICATIONS.

Any party desiring to file a brief in opposition to an application for supervisory writs must contact the court immediately after receiving the application. The court will then set the time in which an opposition/reply brief may be filed. Any further briefs must be with leave of court.

Credits

Adopted effective March 26, 2003. Amended April 27, 2005. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 16, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 16.

LOCAL RULE 17. FILING FEE FOR FILING AMICUS BRIEFS

A filing fee in the amount of \$100.00 shall be paid in connection with filing an Amicus Curiae brief. This fee shall be due at the time of filing the Motion for Leave to File Amicus Brief. For good cause shown, the mover may request a waiver of this fee.

Credits

Adopted effective April 1, 2005. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir Local Rule 17, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 17.

LOCAL RULE 18. SPECIAL EXPEDITED PROCESS FOR DISASTER-RELATED CASES

Due to the State and public interest in expediting cases related to disaster relief, the following expedited procedure has been adopted by this Court. In disaster-related

cases, upon motion of a party or the Court's own motion, an appeal or a writ application may be granted expedited consideration. If expedited consideration is granted, the appeal may either be given a special assignment pursuant to Rule 2-11.2 of the Uniform Rules--Courts of Appeal, or placed on the next available docket.

Credits

Adopted October 24, 2007. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 18, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 18.

LOCAL RULE 19. ORAL ARGUMENT ON WRIT GRANT

If this Court grants a writ application for the limited purpose of ordering the record from the lower court, ordering additional briefing, or both, in order to conduct additional consideration on the merits of the writ application, the parties shall have fourteen (14) days from the mailing of this order within which to file a motion requesting oral argument on the merits. The motion shall state the reasons why oral argument is necessary and shall be accompanied with the appropriate filing fee. The grant or rejection of the motion shall be discretionary within the panel.

Credits

Adopted January 23, 2008. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 19, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 19.

LOCAL RULE 20. FILING CORRESPONDING CD-ROM BRIEFS

In addition to the filing of a paper brief, a party may file a corresponding brief contained on a compact disc--read only memory (CD-ROM), subject to the following requirements.

- 1) **Content.** A corresponding brief must be identical in content to the paper brief. A corresponding brief may provide hypertext links to the complete versions of material that was part of the record below. Hypertext links to other material must be confined to materials such as cases, statutes, treatises, law review articles, and similar authorities. A corresponding brief must be self-contained and static. All hypertext links must be contained on the CD-ROM and not link to outside sources.

- 2) **Statement Concerning Instructions and Viruses.** A corresponding brief must be accompanied by a statement, preferably within or attached to the packaging, that:
 - a. The CD-ROM is Windows compatible and readable on any windows compatible operating system.
 - b. The CD-ROM is finalized and in a pdf format viewable using a program such as Adobe Acrobat.
 - c. The CD-ROM is free from computer viruses and lists the software used to ensure that the brief is virus-free.
- 3) **Time for Filing.** A corresponding brief, if any, must be filed within fifteen (15) days of the paper brief.
- 4) **Filing and Service.** Except for the time of filing, a corresponding brief must be filed and served in the same manner and the same number of copies as the paper brief.
- 5) **Single CD-ROM.** All parties to an appeal who intend to file a corresponding CD-ROM brief are encouraged to cooperate in placing all such briefs on a single CD-ROM.
- 6) **Labeling.** A label with the caption of the case, the number of the case, and the types of briefs included on the CD-ROM must be included on both the packaging and the CD-ROM.

Credits

Adopted February 27, 2008. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 20, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 20.

LOCAL RULE 21. BRIEF IN SUPPORT OF REHEARING

The brief in support of rehearing pursuant to Uniform Rule 2-18.3 shall not exceed ten pages.

Credits

Adopted April 23, 2008. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir Local Rule 21, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 21.

LOCAL RULE 22. FILING DOCUMENTS

All filings with this Court, including briefs, must be hole punched and bound along the top margin, preferably with 2" metal file fasteners, such that no part of the text is obscured.

Credits

Adopted May 1, 2009. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 22, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 22.

LOCAL RULE 23. TIME TO FILE AMICUS CURIAE BRIEFS

An amicus curiae brief shall be filed not later than twenty days from the last due date for the timely filing of the appellee's brief. (See [Uniform Rules--Courts of Appeal Rules 2-12.7](#) and [2-12.8](#)). Any reply brief must be filed within ten days of the filing of an amicus curiae brief. The court may grant one seven-day extension, if good cause is shown on written motion filed with the clerk of court on or before the date the amicus curiae brief was due. The mover may contact the court to determine the due date for filing an amicus curiae brief.

Credits

Adopted September 29, 2010. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir. Local Rule 23, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 23.

LOCAL RULE 24. APPELLATE RECORD REQUEST BY E-MAIL OR CD

A party may request the appellate record by e-mail if the record contains two volumes or less. This service is complimentary. A party may also request an appellate record sent in PDF form on a CD or flash drive. The fee for this service is \$25.00 per cd or flash drive. Exhibits separate from the appellate record cannot be e-mailed or sent on a CD.

LOCAL RULE 25. DOMICILIARY TRAVEL EXPENSES

An appellate judge of the Third Circuit Court of Appeal may be reimbursed over and above the amount authorized by Louisiana Supreme Court Rule Part G, Section 1.1(a), from self-generated funds of the Court subject to availability of funds. The appellate judge must reside in the parish of the domicile of his/her court and shall be reimbursed at the IRS Federal Mileage Rate for round trips in excess of ten miles.

Credits

Retroactive July 1, 2014.

Court of Appeal, 3rd Cir. Local Rule 25, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 25.

LOCAL RULE 26. SUMMARY JUDGMENT BRIEFING AND ARGUMENT--LA.CODE CIV.P. ART. 966.H

When this Court issues an order in a summary judgment proceeding assigning a case for briefing and permitting the parties an opportunity to request oral argument in accordance with La.Code Civ.P. art. 966.H, the parties shall have fourteen (14) days from the mailing of this order within which to file a motion requesting oral argument on the merits. The motion shall state the reasons why oral argument is necessary and shall be accompanied with the appropriate filing fee.

Credits

Adopted December 2, 2015. Amended April 27, 2022. Effective January 1, 2023.

Court of Appeal, 3rd Cir. 26 Rule, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 26.

LOCAL RULE 27. SUBMISSION PROCEDURES FOR ELECTRONIC AUDIO AND VIDEO EVIDENCE

All electronic audio and video evidence submitted to the court shall be in the Windows Media Audio (WMA) or Windows Media Video (WMV) format to ensure that the evidence can be played on the default Windows Media Player.

If audio or video evidence cannot be converted to the required formats, the software or codec required to view the evidence must be provided. This must include a description of the software or codec and instructions on how to install and use the software. Counsel for the parties must also inform the Clerk of Court in writing of these circumstances within five (5) days of the lodging of the record.

The following information must be provided with all submitted electronic evidence:

- a. Title of file
- b. Brief description of what is contained in the file
- c. Length of file
- d. Number of files
- e. File format
- f. Guarantee of no virus
- g. The antivirus software that was used to scan the files and the date of the virus definitions

It is the exclusive responsibility of counsel for all parties to ensure that all electronic audio and video evidence works properly before submitting it to the court.

Credits

Adopted Sept. 25, 2019. Amended April 27, 2022. Effective January 1, 2023.
Court of Appeal, 3rd Cir.-Local Rule 27, 8 LSA-R.S., LA ST A CT 3 CIR Local Rule 27.

LOCAL RULE 28. BRIEFS—AND MEMORANDA CERTIFICATION FOR EVIDENTIARY ATTACHMENTS

Appellate courts are courts of record and may not review or consider evidence that has not first been properly and officially offered, introduced, and considered in the proceedings below. See *Denoux v. Vessel Mgmt. Servs., Inc.*, 07-2143 (La. 5/21/08), 983 So.2d 84. Thus, all briefs and memoranda filed in this Court with attachments to be considered by this Court as evidence, whether filed in conjunction with appeals, motions, or writ applications, that contain attachments shall contain the following certification:

“I hereby verify that all attachments to this brief or memorandum, for the purpose of review and consideration as evidence by this Court, have been entered and/or accepted into evidence or proffered as evidence, and/or considered in the lower court, to the best of my knowledge, information and belief. I understand that failure to comply with this local rule may result in this Court’s refusal to consider said attachments. *WILLFUL FAILURE TO COMPLY WITH THIS LOCAL RULE MAY SUBJECT ME TO PUNISHMENT FOR CONTEMPT OF COURT.*”

No such attachment will be considered by this Court if not filed and/or accepted or proffered, or considered in the lower court unless by Order of this Court for good cause shown.

Credits

Adopted Sept. 25, 2019. Effective Nov. 1, 2019. Amended Dec. 14, 2019. Effective May 8, 2020. Amended April 27, 2022. Effective January 1, 2023.

Footnotes

1

This local rule shall not be interpreted to prohibit, and this certification shall not apply to, other non-evidentiary attachments required by the Uniform Rules--Courts of Appeal, or allowed in practice to facilitate the Court's understanding of the issues and precedents involved.

LOCAL RULE 29. NUMBER OF COPIES

The filings below require submission of an original:

Appeal Briefs (Appellant and Appellee)

Reply Brief

Motion and Order to Strike Brief

Motion and Order to Dismiss filed by Appellee

Application for Rehearing

Answer to Appeal

Motion and Order for Leave to File a Late Answer

Amicus Brief (must be filed with the Motion and Order for Leave to File Amicus Brief)

Writ Application

Opposition to Writ Application

Reply to Opposition to Writ Application

Supplement to Writ Application

Motion and Order to Supplement the Record

Motion and Order to file a Reply Brief

Motion and Order for Extension of Time

Motion for Oral Argument

Motion and Order to Reinstate Oral Argument

Motion and Order to Continue

Motion and Order to Exceed Page Limitation

Motion and Order to Enroll

Motion and Order to Remand
Motion and Order for Stay
Motion and Order for Expedited Consideration
Motion and Order to Strike
Motion and Order to Consolidate
Motion and Order for Leave to File an Amicus Brief
Miscellaneous Motions not specifically listed above

LOCAL RULE 30. ELECTRONIC FILING

Electronic filings (“e-filings”) will be accepted by this court. The rules governing acceptance of e-filings are contained in Appendix G. E-filed documents require the mailing of an original.

LOCAL RULE 31. ELECTRONIC SIGNATURE

The judges and clerks of this Court are authorized to use electronic signatures on all court documents in accordance with law. “Clerk” shall refer to the Clerk of Court as well as the Clerk of Court’s deputies and assistants.

APPENDICES A, B, C, D, E, F STAY THE SAME

APPENDIX G.

LOUISIANA THIRD CIRCUIT COURT OF APPEAL Electronic Filing (“E-Filing”) Program Rules

1. Application

There is hereby established a system in which documents may be filed electronically. These rules apply to lawyers who elect to take advantage of the Louisiana Third Circuit Court of Appeal's electronic filing system.

2. Intent

(a) Electronic filing is voluntary.

(b) The Court may terminate, modify, or suspend the use of e-filing in a proceeding at any time and may, in its discretion, excuse an e-filer from compliance with any provision of these rules.

(c) An attorney who participates as an e-filer consents to be bound by the provisions of these rules and participates at the discretion of the Court.

3. Electronic Filers

E-filing is restricted to an attorney licensed to practice in the State of Louisiana who has been approved to participate in the program after completion of the Court's E-Filing registration form "Registered User"). The Court has the discretion to authorize or de-authorize e-filers as it deems necessary.

4. E-Filing Requirements

(a) Upon docketing of a case, the e-filing system is available for use.

(b) Except for sealed or confidential documents, all documents may be e-filed.

(c) Photocopies of exhibits may be attached to the e-filed documents.

(d) All filings must comply with the Louisiana Rules of Court, Uniform Rules–Courts of Appeal and the Local Rules of the Louisiana Third Circuit Court of Appeal (Electronically filed documents shall include a copy of the trial court's ruling or judgment from which relief is requested and the notice of intent).

5. Time of Filing

(a) An e-filed document is deemed timely if it is e-filed to the Court's system by 11:59 p.m. (CST) on the date that the document is due. Documents e-filed after 4:30 p.m. (CST) or at a time when the Court is not open for business, will be processed by this Court's Clerk of Court beginning at 8:30 a.m. (CST) on the next business day.

(b) The e-filing system will automatically endorse the document with the date and time of transmission and issue a notice of e-filing to the filer.

6. Service of Electronic Documents

The parties must give notice of e-filing a document pursuant to Rule 2.14 of the Louisiana Rules of Court, Uniform Rules – Courts of Appeal.

7. Format of E-filed Documents

Except as modified by this rule, the format of an e-filed document must conform to the Louisiana Rules of Court, Uniform Rules – Courts of Appeal.

(a) An e-filed document must be submitted in a portable document format (PDF) with a minimum resolution of 200 dpi (dots per inch) that is not password protected or secured.

(b) All page orientations shall be properly rotated to read left to right and top to bottom.

(c) Only black text on a white background is permitted.

(d) The size of an e-filed document is limited to 25MB. Documents exceeding 25MB must be divided into separate parts.

(e) An e-filed document must not contain any embedded files, scripts, tracking tags, or executable files.

8. Signature On E-filed Documents

Before transmitting an e-filed document, the party filing the document shall remove any confidential information or metadata that may be embedded in the e-filed document. A document e-filed is deemed to be signed by the registered user submitting the document. In addition to the information required by Rule 2-1.3 of the Uniform Rules of Court - Courts of Appeal and Rule 11 of the Local Rules of the Louisiana Third Circuit Court of Appeal, each e-filed document must include the Registered User's electronic mail address and fax number.

9. Registered User Requirements

All users of the Court's e-filing system must register through the e-filing system website. Registration is limited to attorneys who are active members of the Louisiana State Bar Association. No law firms, agencies, corporations, or other groups may register.

(a) All Registered Users must view the online Video Training tutorial.

(b) The log-in sequence assigned by the Court to the Registered User must be used only by the user to whom it is assigned and by such agents and employees as the user may authorize. No Registered User shall knowingly permit use of the log-in sequence by anyone other than authorized agents and employees.

(c) A Registered User must furnish one electronic mail address which the Court will use to send notice of receipt and confirmation of e-filing. It is the Registered User's responsibility to ensure that the Court has the correct electronic mail address. The Registered User's electronic mail address must be the same as that associated with his or her Louisiana bar roll number provided to the Court.

10. Viruses and Technical Failures

(a) A Registered User who timely files a document that is rejected because of a detected virus or other technical failure will receive notification from the Court. The Registered User shall have until 4:30 p.m. (CST) on the next business day to re-file the document electronically or conventionally.

(b) A Registered User whose filing is made untimely as a result of a technical failure may seek appropriate relief from the Court.

11. Expedited Relief or Stay Order

If immediate judicial action, expedited relief or a stay order is requested, the registered User shall notify the Court's Clerk of Court by telephone at 337-433-9403.

12. Original Documents Required

The Court is requiring submission of the original documents during the pilot testing phase of electronic filing.

13. Cost

Convenience Fee \$50.00