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Art. 154. Procedure for recusal of district court judge

A. A party desiring to recuse a judge of a district court shall file a written motion therefor assigning the ground for recusal under Article 151. This motion shall be filed no later than thirty days after discovery of the facts constituting the ground upon which the motion is based, but in all cases prior to the scheduling of the matter for trial. In the event that the facts constituting the ground upon which the motion to recuse is based occur after the matter is scheduled for trial or the party moving for recusal could not, in the exercise of due diligence, have discovered such facts, the motion to recuse shall be filed immediately after such facts occur or are discovered.

B. If the motion to recuse sets forth a ground for recusal under Article 151, not later than seven days after the judge's receipt of the motion from the clerk of court, the judge shall either recuse himself or make a written request to the supreme court for the appointment of an ad hoc judge as provided in Article 155.

C. If the motion to recuse is not timely filed in accordance with Paragraph A of this Article or fails to set forth a ground for recusal under Article 151, the judge may deny the motion without the appointment of an ad hoc judge or a hearing but shall provide written reasons for the denial.

Acts 2021, No. 143, §1; Acts 2022, No. 38, §1.

Art. 158. Recusal of judge of court of appeal

A. A party desiring to recuse a judge of a court of appeal shall file a written motion therefor assigning the ground for recusal under Article 151. When a written motion is filed to recuse a judge of a court of appeal, the judge may recuse himself or the motion shall be heard by an ad hoc judge appointed by the supreme court.

B. When a judge of a court of appeal recuses himself or is recused, the court shall randomly allot another of its judges to sit on the panel in place of the recused judge.

C. If the motion to recuse fails to set forth a ground for recusal under Article 151, the judge may deny the motion without the appointment of an ad hoc judge or a hearing but shall provide written reasons for the denial.

Redesignated from C.C.P. Art. 160 and amended by Acts 2021, No. 143, §1; Acts 2022, No. 38, §1.

Art. 195.1. Judicial proceedings by audio-visual means

A. A hearing on any motion or exception may be conducted by any audio-visual means at the discretion of the court. If witness testimony is necessary, a party may request that the hearing be conducted in person.

B. A judge trial may be conducted by any audio-visual means with the consent of all parties and permission of the court.

Acts 2022, No. 372, §1.

Art. 196.2. Power of supreme court to extend deadlines during emergencies

In the event that the governor declares a state of emergency or disaster pursuant to R.S. 29:721 through 775, the Supreme Court of Louisiana, rather than the governor, may issue orders suspending or extending deadlines applicable to legal proceedings in courts, including periods of time applicable for abandonment of actions, in all or part of the state of Louisiana. A court order suspending or extending deadlines applicable to legal proceedings in courts shall have the effect of extending only those deadlines that would have otherwise accrued during the period of time specified in the order. After the period of suspension or extension has expired, a party shall have an amount of time as specified in the court order to file any pleading affected by the suspension or extension. If no amount of time is specified, a party shall have thirty days after the period of suspension or extension has expired.

Acts 2022, No. 469, §2.

Art. 253. Pleadings, documents, and exhibits to be filed with clerk

A. All pleadings or documents to be filed in an action or proceeding instituted or pending in a court, and all exhibits introduced in evidence, shall be delivered to the clerk of the court for such purpose. The clerk shall endorse thereon the fact and date of filing and shall retain possession thereof for inclusion in the record, or in the files of his office, as required by law. The endorsement of the fact and date of filing shall be made upon receipt of the pleadings or documents by the clerk and shall be made without regard to whether there are orders in connection therewith to be signed by the court.

B. The filings as provided in Paragraph A of this Article and all other provisions of this Chapter may be transmitted electronically in accordance with a system established by a clerk of court or by Louisiana Clerks' Remote Access Authority. When such a system is established, the clerk of court shall adopt and implement procedures for the electronic filing and storage of any pleading, document, or exhibit, and the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to paper filings. The clerk of court may convert into an electronic record any pleading, document, or exhibit as set forth in R.S. 44:116. The originals of conveyances shall be preserved by the clerk of court.

C. A judge or justice presiding over a court in this state may sign a court order, notice, official court document, and other writings required to be executed in connection with court

proceedings, by use of an electronic signature as defined by R.S. 9:2602. The various courts shall provide by court rule for the method of electronic signature to be used and to ensure the authenticity of the electronic signature.

D. Any pleading or document in a traffic or criminal action may be filed with the court by facsimile transmission in compliance with the provision of the Code of Criminal Procedure Article 14.1.

E. The clerk shall not refuse to accept for filing any pleading or other document signed by electronic signature, as defined by R.S. 9:2602, and executed in connection with court proceedings, or which complies with the procedures for electronic filing implemented pursuant to this Article, if any applicable fees for filing and transmission are paid, solely on the ground that it was signed by electronic signature.

F. If the filing party fails to comply with any requirement of this Article, the electronic filing shall have no force or effect. The district courts may provide by court rule for other matters related to filings by electronic transmission.

G. The clerk of court may procure equipment, services, and supplies necessary to accommodate electronic filings out of the clerk's salary fund.

H. All electronic filings shall include an electronic signature. For the purpose of this Article, "electronic signature" means an electronic symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Amended by Acts 1980, No. 355, §1; Acts 1985, No. 457, §1; Acts 2001, No. 319, §2; Acts 2010, No. 461, §1; Acts 2014, No. 606, §1; Acts 2017, No. 419, §4, eff. Jan. 1, 2018; Acts 2020, No. 264, §3; Acts 2022, No. 318, §1.

TITLE II

CITATION AND SERVICE OF PROCESS

CHAPTER 1. CITATION

[Art. 1201. Citation; waiver; delay for service](#)

A. Citation and service thereof are essential in all civil actions except summary and executory proceedings, divorce actions under Civil Code Article 102, and proceedings under the Children's Code. Without them all proceedings are absolutely null.

B. The defendant may expressly waive citation and service thereof by any written waiver made part of the record.

C. Service of the citation shall be requested on all named defendants within ninety days of commencement of the action. When a supplemental or amended petition is filed naming any additional defendant, service of citation shall be requested within ninety days of its filing, and the additional defendant shall be served with the original petition and the supplemental or amended petition. The defendant may expressly waive the requirements of this Paragraph by any written waiver. The requirement provided by this Paragraph shall be expressly waived by a defendant unless the defendant files, in accordance with the provisions of Article 928, a declinatory exception of insufficiency of service of process specifically alleging the failure to timely request service of citation.

D. If not waived, a request for service of citation upon the defendant shall be considered timely if requested on the defendant within the time period provided by this Article, notwithstanding insufficient or erroneous service.

Acts 1991, No. 367, §2; Acts 1997, No. 518, §2, eff. Jan. 1, 1998; Acts 2003, No. 545, §1; Acts 2006, No. 750, §1; Acts 2014, No. 379, §2, eff. May 30, 2014; Acts 2022, No. 455, §1.

Art. 1435. Deposition taken in another state, or in a territory, district, or foreign jurisdiction; exceptions; nonresident insurance claims adjusters

A. If the witness whose deposition is to be taken is found in another state, or in a territory, district, or foreign jurisdiction, the law of the place where the deposition is to be taken shall govern the compulsory process to require the appearance and testimony of witnesses, but otherwise the provisions of this Chapter or of R.S. 13:3823 shall be applicable to such a deposition.

B.(1) Notwithstanding any other provision of law to the contrary, an insurance claims adjuster who is not a resident of Louisiana but who has made a physical appearance in the state in order to adjust an insurance claim which is the subject of a civil suit shall be required to appear in person in the parish or venue in which the civil suit is pending and to testify at the trial on the merits.

(2) A nonresident insurance claims adjuster subject to the provisions of Subparagraph (1) of this Paragraph shall be available for deposition via telephone or video teleconference. A deposition taken via telephone or video teleconference shall not be admissible as testimony at trial other than for the purpose of impeachment, or upon the showing of death or incapacity of the deponent.

(3) For purposes of this Article, "insurance claims adjuster" shall have the same meaning as "adjuster" as defined in R.S. 22:1661.

C. Paragraph B of this Article shall not apply to any insurance claims adjuster for an insurer domiciled in Louisiana.

Acts 1976, No. 574, §1; Acts 2022, No. 504, §1.

Art. 2336.1. Determination of superior encumbrances or privileges

A. To determine the amount due to the owner of any mortgage, security interest, lien, privilege, or other encumbrance that is superior to that of the seizing creditor, hereinafter "superior encumbrance", the sheriff or the seizing creditor may cause a subpoena duces tecum to be issued by the clerk of court to the owner or servicer of an obligation secured by a superior encumbrance, requiring that the owner or servicer of any such obligation produce to the sheriff or to the seizing creditor a document setting forth the amount due to the owner of the obligations secured by the superior encumbrance, as of the scheduled date of the sheriff's sale. The subpoena duces tecum shall be served on the owner or servicer of the superior encumbrance at least fourteen calendar days before the response is due, and shall be made returnable at least seven calendar days prior to the scheduled date of the sheriff's sale, at the office of the sheriff or at the office of the seizing creditor or its attorney. If the owner or servicer of the superior encumbrance has a registered agent for service of process in the state, service of process shall be made by one of the following methods:

(1) The subpoena shall be served on the registered agent by the sheriff.

(2) If service is made through certified mail or overnight courier, the envelope shall be directed to the attention of the registered agent.

B. The owner or servicer shall respond to the sheriff or the seizing creditor, depending on who has caused the subpoena duces tecum to issue, at least seven calendar days prior to the scheduled sheriff's sale. The response shall include the total amount of all obligations secured by the superior encumbrance, and shall itemize the amount due on each obligation by setting out the principal, accrued interest, any negative or positive escrow, any other charges or expenses of all obligations secured by the superior encumbrance, and any attorney fees, court costs, and sheriff's costs that have been incurred in connection with the enforcement of the superior encumbrance or the obligations secured by the superior encumbrance. If a response is timely made, no personal appearance shall be required in connection with the subpoena duces tecum.

C. The subpoena duces tecum may be served by the sheriff or by the seizing creditor either in accordance with the procedure for subpoenas in Chapter 1 of Title III of Book II of this Code, or by certified mail, return receipt requested, or by commercial courier. The subpoena duces tecum may be served within or outside of the state.

D. More than one subpoena duces tecum may be issued in connection with a superior encumbrance.

E. If the date of the sheriff's sale is postponed, or stopped and thereafter rescheduled, the seizing creditor may request that the owner or servicer of the superior encumbrance update the amounts due. The request shall be made in writing and served on the owner or servicer of the superior encumbrance either in the manner required for subpoenas, or by certified mail, return receipt requested, or by recognized overnight courier, at least fourteen days before the response is due. The response shall be due at least seven days prior to the sale date. If the owner or servicer of the superior encumbrance has a registered agent for service of process in the state, service of process shall be made by one of the following methods:

(1) The request shall be served on the registered agent by the sheriff.

(2) If service is made through certified mail or overnight courier, the envelope shall be directed to the attention of the registered agent.

F. Nothing in this Article shall prohibit the owner or servicer of a superior encumbrance from voluntarily providing the requested information without the necessity of a subpoena duces tecum or written request, or from voluntarily waiving or accepting service of the subpoena duces tecum or written request.

G. The owner or servicer of the superior encumbrance may update or correct its latest response by providing to the sheriff or the seizing creditor, depending on at whose request the latest subpoena duces tecum or written request was issued, with an updated or corrected response, if the updated or corrected response is received at least twenty-four hours before the time scheduled for the sheriff's sale.

H. If the owner or servicer of the superior encumbrance is a bank as defined in R.S. 6:333(A) or an affiliate as defined in R.S. 6:333(A), then it will be entitled to charge a reasonable fee, not to exceed twenty-five dollars, for each time that information is requested or updates of information provided. The fee shall be payable only after the requested information has been provided to the person requesting the information, which fees shall be taxed as costs.

Acts 2022, No. 91, §1

Art. 2412. Method of service; delay for answering

A.(1) The sheriff shall serve upon the garnishee the citation and a copy of the petition and of the interrogatories, together with a notice that a seizure is thereby effected against any property of or indebtedness to the judgment debtor.

(2) The judgment creditor shall send to the judgment debtor written notice of the filing of the garnishment petition by mail or electronic means. However, the notice provided to the judgment debtor shall have no effect on the validity of the seizure.

B. Service of garnishment petitions against the wages, salaries, or commissions of employees employed within the executive branch of state government shall be made in the following manner:

(1) For employees paid through the office of statewide uniform payroll of the division of administration, service shall be made on the said office.

(2) For all other employees not covered by Subparagraph (1) of this Paragraph, service shall be made only on the secretary of the department employing the debtor or on his designee.

C. Service shall be made in the manner provided for service of citation, except that if the garnishee is an individual, service must be personal. If the garnishee has concealed or absented himself with the purpose of avoiding personal service, the court may order that service be made in any other manner provided by law.

D. The garnishee shall file his sworn answers to the interrogatories within thirty days from the date of service made pursuant to this Article.

Acts 1999, No. 886, §1; Acts 2001, No. 250, §1; Acts 2004, No. 741, §1; Acts 2022, No. 265, §1.

Art. 2414. Notice of answer; traversing

A. The clerk shall cause written notice of the filing of the garnishee's answer to be served promptly upon the seizing creditor in the manner provided by Article 1314.

B. Unless the creditor files a contradictory motion traversing the answer of the garnishee within thirty days after service upon him of the notice of the filing of the garnishee's answer, any property of the judgment debtor in the possession of the garnishee and any indebtedness to the judgment debtor which the garnishee has not admitted holding or owing shall be released from seizure. A new seizure may be made of such property or indebtedness by filing a supplemental petition and serving additional interrogatories.

Acts 2022, No. 265, §1.

Art. 2415. Delivery of property or payment of indebtedness to sheriff

A. When the garnishee admits in his answer, or when on trial of a contradictory motion under Article 2414 it is found that he has in his possession property belonging to the judgment debtor or is indebted to him, the court shall order the garnishee to deliver the property immediately to the sheriff or to pay him the indebtedness when due. Delivery or payment to the sheriff discharges the garnishee's obligation to the judgment debtor to the extent of the delivery or payment.

B. This Article does not apply to garnishment of wages, salaries, tips reported to the employer, or commissions.

Acts 2022, No. 265, §1.

Art. 3434. Endorsed copy of affidavit authority for delivery of property

A. A multiple original of the affidavit authorized by Article 3432 or 3432.1, shall be full and sufficient authority for the payment or delivery of any money or property of the deceased described in the affidavit to the heirs or legatees of the deceased and the surviving spouse in community, if any, in the percentages listed therein, by any federally insured depository institution, financial institution, trust company, warehouseman, or other depository, or by any person having such property in his possession or under his control. Similarly, a multiple original of an affidavit satisfying the requirements of this Article shall be full and sufficient authority for the transfer to the heirs or legatees of the deceased, and surviving spouse in community, if any, or to their assigns, of any stock or registered bonds in the name of the deceased and described in the affidavit, by any domestic or foreign corporation.

B. The receipt of the persons named in the affidavit as heirs or legatees of the deceased, or surviving spouse in community thereof, constitutes a full release and discharge for the payment of money or delivery of property made under the provisions of this Article. Any creditor, heir, legatee, succession representative, or other person whatsoever shall have no right or cause of action against the person paying the money, or delivering the property, or transferring the stock or bonds, under the provisions of this Article, on account of such payment, delivery, or transfer.

C.(1) A multiple original of the affidavit, to which has been attached a certified copy of the deceased's death certificate, shall be recorded in the conveyance records in the office of the clerk of court in the parish where any immovable property described therein is situated, after at least ninety days have elapsed from the date of the deceased's death. For recordation purposes, a photocopy of the certified death certificate may serve as, and take the place of, the certified copy of the death certificate.

(2) An affidavit so recorded, or a certified copy thereof, shall be admissible as evidence in any action involving immovable property to which it relates or is affected by the instrument, and shall be prima facie evidence of the facts stated therein, including the relationship to the deceased of the parties recognized as heir, legatee, surviving spouse in community, or usufructuary as the case may be, and of their rights in the immovable property of the deceased.

(3) An action by a person who claims to be a successor of a deceased person, but who has not been recognized as such in an affidavit authorized by Article 3432 or 3432.1, to assert an interest in property formerly owned by the deceased, against a third person who has acquired an interest in the property, or against his successors by onerous title, is prescribed two years from the date of the recording of the affidavit in accordance with this Paragraph.

Amended by Acts 1974, No. 524, §1; Acts 2009, No. 81, §1, eff. June 18, 2009; Acts 2011, No. 323, §1, eff. June 29, 2011; Acts 2021, No. 44, §2, eff. June 1, 2021; Acts 2022, No. 44, §1.

Art. 4566. Management of affairs of the interdict

A. Except as otherwise provided by law, the relationship between interdict and curator is the same as that between minor and tutor. The rules provided by Articles 4261 through 4269, 4270 through 4274, 4301 through 4342, and 4371 apply to curatorship of interdicts. Nevertheless, provisions establishing special rules for natural tutors and parents shall not apply in the context of interdiction.

B. A curator who owns an interest in property with the interdict or who holds a security interest or lien that encumbers the property of the interdict may acquire the property, or any interest therein, from the interdict upon compliance with Article 4271, with prior court authorization, and when it would be in the best interest of the interdict. Except for good cause shown, the court shall appoint an independent appraiser to value the interest to be acquired by the curator.

C. A curator may accept donations made to the interdict. A curator shall not make donations of the property of the interdict except as provided by law.

D.(1) A curator may place the property of the interdict in trust in accordance with the provisions of Article 4269.1. The trust shall be subject to termination at the option of the interdict upon termination of the interdiction, or if the interdict dies during the interdiction, at the option of his heirs or legatees.

(2) For the purpose of retaining government benefits and upon a showing by clear and convincing evidence that the interdict is permanently disabled and will not recover capacity, the trust shall be irrevocable during the life of the interdict and shall terminate upon the death of the interdict.

E. A curator shall inform the undercurator reasonably in advance of any material changes in the living arrangements of the interdict and any transactions materially affecting his person or affairs.

F. A curator shall not establish or move the place of dwelling of the interdict outside this state without prior court authorization.

G. A curator may not consent to an abortion or sterilization of the interdict without prior court authorization.

H. Neither a curator nor a court shall admit or commit an interdict to a mental health treatment facility except in accordance with the provisions of R.S. 28:50 through 64.

I. A curator appointed in an order of temporary interdiction shall have no authority to admit the defendant to a residential or long- term care facility in the absence of good cause shown at a contradictory hearing.

J. A curator shall allow communication, visitation, and interaction between an interdict who is over the age of eighteen years and a relative of the interdict by blood, adoption, or affinity

within the third degree, or another individual who has a relationship with the interdict based on or productive of strong affection if it would serve the best interest of the interdict.

K. Notwithstanding the requirements of Article 4270 or any other provision of law to the contrary, a curator shall have authority to access deposit accounts held in the name of the interdict and authority to establish and maintain deposit accounts in the name of the "curator on behalf of the interdict", unless the letters of curatorship expressly limit such authority.

Acts 2000, 1st Ex. Sess., No. 25, §3, eff. July 1, 2001; Acts 2016, No. 110, §2, eff. May 19, 2016; Acts 2021, No. 163, §1; Acts 2022, No. 22, §1.

Art. 4614. Purchase by co-owner of property or interest sold

A. Any property or interest in the property sold to effect a partition, whether by licitation or by private sale, may be purchased by a co-owner.

B. If a property or interest in the property is purchased by a co-owner, the co-owner shall be credited for his share of the property or interest in the property. The co-owner shall have his share deducted from the purchase price of the property or interest in the property prior to payment.

Acts 2022, No. 636, §1.

CHAPTER 2. PROCEDURE

Art. 4731. Rule to show cause why possession should not be delivered; abandonment of premises; federally declared disasters

A. If the lessee or occupant fails to comply with the notice to vacate required under this Title, or if the lessee has waived his right to notice to vacate by written waiver contained in the lease, and has lost his right of occupancy for any reason, the lessor or owner, or agent thereof, may cause the lessee or occupant to be cited summarily by a court of competent jurisdiction to show cause why he should not be ordered to deliver possession of the premises to the lessor or owner. The rule to show cause shall state the grounds upon which eviction is sought.

B. After the required notice has been given, the lessor or owner, or agent thereof, may lawfully take possession of the premises without further judicial process, upon a reasonable belief that the lessee or occupant has abandoned the premises. Indicia of abandonment include a cessation of business activity or residential occupancy, returning keys to the premises, and removal of equipment, furnishings, or other movables from the premises.

C.(1) In parishes subject to a federal disaster declaration, cessation of residential occupancy shall not be deemed evidence of abandonment pursuant to Paragraph B of this Article for thirty days following the initial declaration of a federally declared disaster.

(2) Failure of the lessor to comply with this Article shall give a residential lessee the right to recover five hundred dollars or twice the amount of the monthly rent, whichever is greater, from the lessor or owner, or from the lessor's successor in interest. A residential lessee may obtain a restraining order or a preliminary injunction to enforce the provisions of this Article.

(3) The court may award costs and attorney fees to the prevailing party for actions brought pursuant to this Article.

(4) In parishes subject to a federally declared disaster, a court shall not require a residential lessee bringing an action for a temporary restraining order or preliminary injunction under this Article to furnish security as required by Article 3610 for the thirty days following the initial declaration of a federally declared disaster.

(5) Nothing in this Paragraph shall preempt the rights afforded to a lessor in Civil Code Article 2693.

Amended by Acts 1981, No. 713, §1; Acts 1991, No. 684, §1; Acts 2022, No. 442, §1.

Art. 4736. Prohibition of eviction from tax sale property

The procedures for eviction as provided by this Title shall be subject to the prohibitions and exceptions as provided by R.S. 47:2158.1 and 2231.1.

Acts 2022, No. 404, §2.

Art. 4843. City court jurisdiction; amount in dispute; injunctive actions by state or political subdivision

A. Except as otherwise provided for in this Article, the civil jurisdiction of a city court is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed fifteen thousand dollars.

B. The civil jurisdiction of a city court in which the population of the territorial jurisdiction is greater than fifty thousand is concurrent with the district court in cases or proceedings instituted by the state, a parish, a municipality, or other political subdivision of the state for injunctive relief or other civil relief for the cessation or abatement of any acts or practices which may violate a parish or municipal ordinance or state law. In such case, the court has jurisdiction regardless of the amount in dispute or the value of the property involved.

C. In the City Court of Bossier City, and any city court in which the population of the territorial jurisdiction is less than fifty thousand, except as otherwise specifically provided by law, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed fifteen thousand dollars.

D. In the City Court of Lafayette, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty thousand dollars.

E. In the City Court of Bogalusa, the City Court of Bunkie, the City Court of Eunice, the City Court of Marksville, the City Court of Natchitoches, a city court in New Orleans, the City Court of Opelousas, the City Court of Port Allen, the City Court of Ville Platte, and the City Court of Winnsboro, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty-five thousand dollars.

F. In the City Court of Breaux Bridge, the City Court of Crowley, the City Court of Hammond, the City Court of Houma, the City Court of Jeanerette, the City Court of Jennings, the City Court of Monroe, the City Court of New Iberia, the City Court of Oakdale, the City Court of Rayne, and the City Court of Winnfield, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty thousand dollars.

G. In the City Court of Abbeville, the City Court of Baker, the City Court of Baton Rouge, the City Court of Kaplan, the City Court of Leesville, the City Court of Minden, the City Court of Plaquemine, the City Court of Shreveport, the City Court of Springhill, and the City Court of Zachary, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars.

H. In the City Court of Alexandria, the Third Ward City Court of Franklin, the City Court of Pineville, the City Court of Slidell, the City Court of Ruston, the City Court of Sulphur, and the City Court of Lake Charles, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed fifty thousand dollars.

Acts 1986, No. 539, §1; Acts 1986, No. 924, §1; Acts 1988, No. 75, §1; Acts 1988, No. 314, §1; Acts 1990, No. 186, §1; Acts 1990, No. 504, §1, eff. July 18, 1990; Acts 1992, No. 10, §1; Acts 1992, No. 939, §1; Acts 1993, No. 541, §1; Acts 1995, No. 126, §1; Acts 1995, No. 204, §1; Acts 1995, No. 311, §1, eff. June 16, 1995; Acts 1995, No. 466, §1; Acts 1997, No. 193, §1, eff. Jan. 1, 1998; Acts 1997, No. 323, §1; Acts 1997, No. 407, §1; Acts 1999, No. 504, §1, eff. Jan. 1, 2000; Acts 1999, No. 644, §1; Acts 1999, No. 694, §1; Acts 2001, No. 255, §1; Acts 2001, No. 343, §1, eff. Jan. 1, 2001; Acts 2001, No. 357, §1; Acts 2001, No. 762, §1, eff. June 25, 2001; Acts 2002, 1st Ex. Sess., No. 58, §1; Acts 2003, No. 153, §1; Acts 2003, No. 276, §1; Acts 2003, No. 435, §1; Acts 2003, No. 436, §1; Acts 2003, No. 601, §1; Acts 2003, No. 905, §2; Acts 2003, No. 1213, §1; Acts 2004, No. 205, §1; Acts 2004, No. 487, §1; Acts 2004, No. 511, §1; Acts 2004, No. 538, §1; Acts 2004, No. 539, §1; Acts 2004, No. 714, §1; Acts 2005, No. 31, §1; Acts 2005, No. 109, §1; Acts 2005, No. 349, §1; Acts 2005, No. 353, §1; Acts 2006, No. 365, §1; Acts 2006, No. 379, §1; Acts 2006, No. 575, §1; Acts 2006, No. 680, §1; Acts 2006, No. 681, §1; Acts 2008, No. 44, §1; Acts 2010, No. 161, §1; Acts 2010, No. 180, §1; Acts 2010, No. 228, §1; Acts 2011, No. 88, §1; Acts 2011, No. 103, §1, eff. June 20, 2011; Acts 2012, No. 166, §1; Acts 2012, No. 331, §1; Acts 2013, No. 68, §1; Acts 2014, No. 363, §1; Acts 2014, No. 843, §1; Acts 2015, No. 367, §1; Acts 2015, No. 461, §1, eff. July 1, 2015; Acts 2019, No. 135, §1; Acts 2020, No. 205, §3, eff. June 11, 2020; Acts 2021, No. 251, §1; Acts 2022, No. 98, §1.

Art. 4844. Amount in dispute; eviction proceedings

A. Except as otherwise provided in this Article, a parish court or city court shall have jurisdiction, concurrent with the district court, over suits by owners and landlords for the possession of leased premises as follows:

- (1) When the lease is by the day and the daily rental is one hundred fifty dollars or less.
- (2) When the lease is by the week and the weekly rental is five hundred dollars or less.
- (3) When the lease is by the month and the monthly rental is three thousand dollars or less.
- (4) When the lease is by the year and the annual rental is thirty-six thousand dollars or less.

(5) When the suit is to evict an occupant as defined by Article 4704, if the annual value of the right of occupancy does not exceed the amount in dispute to which the jurisdiction of the court is limited by Articles 4842 and 4843 or as to the amounts set forth in Subparagraphs (3) and (4) of this Paragraph.

B. In the City Court of East St. Tammany, the city court shall have the same jurisdictional limit for possession of leased premises in eviction proceedings as provided for in Article 4912 for justice of the peace courts.

C. In the City Court of Hammond, the city court shall have jurisdiction over suits by owners and landlords for the possession of leased premises when the lease is by the month and the monthly rental is five thousand dollars or less.

D. In computing the jurisdictional amount for purposes of eviction suits, the daily, weekly, monthly, annual, or other rental provided by the lease, exclusive of interest, penalties, or attorney fees, shall determine the amount in dispute.

Acts 1986, No. 156, §1; Acts 1995, No. 204, §1; Acts 1999, No. 102, §1; Acts 2010, No. 219, §1; Acts 2020, No. 205, §3, eff. June 11, 2020; Acts 2022, No. 361, §1.

Art. 4862. Motion to recuse

A. When a written motion is made to recuse a judge of a parish or city court or a justice of the peace, not later than seven days after the judge or justice of the peace receives the motion from the clerk of court, the judge or justice of the peace shall either recuse himself, or the motion to recuse shall be tried in the manner provided by Article 4863.

B. If the motion to recuse fails to set forth a ground for recusal under Article 151, the judge or justice of the peace may deny the motion without the appointment of another judge or a hearing but shall provide written reasons for the denial.

Acts 1979, No. 46, §1, eff. Jan. 1, 1980; Acts 2021, No. 143, §1; Acts 2022, No 38, §1.