

By Tyler G. Storms and Hal Odom, Jr.

FOCUS: 3RD JDC AND LINCOLN PARISH

With the adoption of the Uniform Rules for District Courts, legal practice should be the same in any of the state's 41 district courts. But we hear that this is not always the case.

The *Louisiana Bar Journal* has initiated a new feature on local practice to offer a glimpse of the distinctive aspects of practice in different district courts across the state. The practical objective is to provide general information that may be of use to attorneys from out of town.

Naturally, there are motivations for studying local practice that may not be totally academic. Since the hurricanes, many attorneys from greater New Orleans are suddenly curious about the local customs of the less urbanized parts of the state. Conversely, attorneys from these two writers' region — the rolling, pine-scented corridor of I-20 — often think the *Journal* is an exclusively New Orleans production. The Local Practice team seeks to rectify this, if only in a small way.

The Third Judicial District comprises Lincoln and Union parishes, but we will concentrate on Lincoln. More than one Third JDC judge told us that in their experience, local rules pose no problem for out-of-town lawyers. According to Judge Jay McCallum, "We proceed similarly to all other districts. We take up uncontested matters before contested, and we all use the same substantive law. The issues for any new lawyer in any unfamiliar area have more to do with personalities and travel logistics." Here are some things you need to know about the Third JDC and Lincoln Parish.

Setting a Motion/Rule for Hearing

Even though the judges set their own calendars, they ask attorneys to mail these requests to the *clerk of court*, not to the individual judge. Do not send a motion requesting a hearing to an individual judge, even after the case has been as-

signed to that judge.

After you first file your motion with the clerk of court, you will obtain the first available date from the judge's office *if you include a cover letter* indicating your available dates for the next three months. There is no special form for this; just write a cover letter.

Each judge rotates between Lincoln Parish and Union Parish, according to separate civil and criminal dockets. The assigned judge will use your first available week according to his or her availability in the rotation.

Special Settings

These are available in the Third JDC for the convenience of attorneys. If you are from out of town and request a later setting (usually because of travel issues), the court will assist in having a conference call with opposing counsel to obtain a special setting at a later time than when court first opens that day.

Civil Motion Hour

This is held on Monday and Thursday. For confirmations of default, attorneys are asked to complete a confirmation form with the applicable dates and service information. The clerk of court will provide this form upon request. When you phone, ask for the civil department.

Trials Requiring Witnesses

For the convenience of witnesses, attorneys should advise the court if a lengthy matter will need to go to trial. If a special advance setting is needed, use the conference call procedure described above. The judges assure us that through this process, every litigant gets his day in court with minimal inconvenience to the witnesses.

When in doubt, Judge McCallum suggests finding a local lawyer with a good reputation and asking what it takes to do an effective job here. "That will probably be

the most valuable information you can get."

Travel

If you are driving to Ruston from New Orleans, we strongly recommend riding north on I-55 and turning west onto I-20 near Jackson, Miss. From any other point south (except Baton Rouge via Natchez), you should go to Alexandria and then take U.S. 167 north through Winnfield.

Food Matters

The courthouse is located at the edge of Ruston's historic downtown district, which centers around the railroad tracks. If you drive south on U.S. 167 after exiting I-20, Crescent City Coffee is a convenient stop for local blends and beignets. Closer to the courthouse is The Frothy Monkey, another coffee shop. Both have wireless access. If you need to take a lunch break and return to court, we recommend Sundown Tavern, located just over the railroad tracks from the courthouse. It offers sandwiches in a hurry and a wireless hotspot. Along that part of U.S. 80 known as California Street is Griff's (old-style fast food) and the Blue Light Café (traditional southern lunches).

Lodgings

Ruston offers major-chain hotels. The newest is the Fairfield by Marriott. The Holiday Inn Express is also easy to find from I-20.

If you have any suggestions for future "Local Practice" articles, e-mail these members of the Louisiana Bar Journal Editorial Board: Hal Odom Jr., rhodom@lasccoa.state.la.us; Tyler G. Storms, tstorms@stormslaw.com; Lawrence E. Marino, lmarino@oatshudson.com; Daniel G. Rauh, drauh@gllaw.com; Edward J. Walters, Jr., walters@mwtlaw.net; or Margaret E. Judice, margarettjudice@cox-internet.com.