# **Index**

# ABANDONMENT OF CAUSE OR ACTION

Appellate court

action, abandonment of, Art. 561, 2162 appeals deemed abandoned, Art. 2165

Dismissal, Art. 2162

Trial court, abandonment of action in, Art. 561

#### **ABATEMENT**

Death of party, Art. 428

#### ABSENCE OR PRESENCE

Appearance. See index heading APPEARANCE

District court clerk, powers exercised in absence of judge, Art. 285

Parties, absent spouse as party, **Art. 695**, **743** 

# ACCEPTANCE OF PROCEEDINGS

Intervener, Art. 1094

# ACQUISITION OF ACTION

Reconvention, acquisition of action after pleading, Art. 1066

# **ACTIONS**

Generally, Art. 421 et seq.

Abandonment. See index heading ABANDONMENT OF CAUSE OR ACTION

Abatement on death of party, Art. 428

Amicable demand unnecessary, **Art. 421**Cause of action as defense. **Art. 424** 

Class actions

generally, Art. 591 et seq.

for detailed treatment see index heading class actions

Commencement of action, Art. 421

Cumulation of actions

generally, Art. 461 et seq.

for detailed treatment see index heading cumulation of actions

Death of party, abatement on, Art. 428

Defenses, cause of action as, Art. 424

Derivative actions

generally, Art. 611 et seq.

#### ACTIONS—Cont'd

Derivative actions—Cont'd for detailed treatment see index heading DERIVATIVE ACTIONS

General disposition, Art. 421 et seq.

Heirs, action against obligor's heirs or legatees, Art. 427

Implied right to enforce obligation, **Art.** 

Judgment, preclusion by, Art. 425

Legatees, action against obligor's heirs or legatees, Art. 427

Mixed actions, generally, Art. 422

Personal actions, generally, Art. 422

Preclusion by judgment, Art. 425

Prematurity, Art. 423

Real actions, generally, Art. 422

Transmission of action and right to enforce obligation, Art. 426

Venue. See index heading VENUE

#### **ADDITUR**

New trial, additur as alternative to, **Art.** 1814

#### AD HOC JUDGE

Appointment, Art. 157 Recusation, Art. 157, 161

# **ADMISSIBILITY**

Depositions, Art. 1451 Evidence, Art. 1636

#### ADMISSIONS

Answers, Art. 1467

Continuance, prevention of continuance, **Art. 1604** 

Effect of admission, Art. 1468

Environmental damage lawsuit, limited admission of liability in, Art. 1563

Failure to admit, Art. 1472

Objections, Art. 1467

Service, Art. 1466

#### ADOPTION BY REFERENCE

Pleading, Art. 853

#### ADOPTION OF PERSONS

Venue. See index heading VENUE

# **AFFIDAVITS**

Depositions, **Art. 1474, 1475** New trial, application for, **Art. 1975** Summary judgment motion, **Art. 967** 

#### **AGENTS**

Parties plaintiff, Art. 694

#### **AGREEMENTS**

See index heading contracts or agree-MENTS

#### **ALTERNATE JURORS**

Generally, Art. 1769

# ALTERNATIVE CAUSES OF ACTION

Petition, Art. 892

#### **ALTERNATIVE DEFENSES**

Generally, Art. 1006

#### AMENDED PLEADINGS

Generally, Art. 1151 et seq.

Answer, **Art. 1151** 

Conformity to evidence, Art. 1154

Evidence, amendment of pleadings to conform to, **Art. 1154** 

Exceptions, Art. 1152

Incidental action, amended pleadings in, Art. 1156

Petition, Art. 1151

Relation back of amendment, Art. 1153

#### AMICABLE MATTERS

Demand, amicable demand unnecessary, Art. 421

#### AMOUNT OR QUANTITY

Subject matter jurisdiction, amount in dispute, **Art. 4** 

# ANNULMENT OF JUDGMENTS

Generally, Art. 2001 et seq.

For detailed treatment see index heading NULLITY ACTION

#### **ANSWER**

Generally, **Art. 1001 et seq.** Affirmative defenses, **Art. 1005** 

Alternative defenses, Art. 1006

Amendment of answer, Art. 1151

Appellate courts, answer of appellee, **Art.** 2133

#### ANSWER—Cont'd

Confirmation of default, answer filed prior to, Art. 1002

Default, answer filed prior to confirmation of, Art. 1002

Delay for answering, Art. 1001

Denials, Art. 1004

Depositions, Art. 1467, 1473, 1474

Form of answer, Art. 1003

Incidental actions, Art. 1035

# APPEAL OR REVIEW

Generally, Art. 2081 et seq.

Appellate courts

generally, Art. 2081 et seq.

for detailed treatment see index heading APPELLATE COURTS

Appointment of legal representative, **Art.** 2122

Certified, Art. 2127.1

Contempt, Art. 2127.3

Content, determination, Art. 2128

Correction of record on appeal, Art. 2132

Costs, payment of, Art. 2126

Dated, Art. 2127.1

Declaratory judgments, Art. 1877

Definition of appeal, Art. 2082

Delay for taking suspensive appeal, **Art.** 2123

Delivery of transcript, Art. 2127.2

Depositions, Art. 2128.1

Extension of return day granted by clerk of court, notice, **Art. 2125.1** 

Final judgment, Art. 1911

Method of appealing, Art. 2121

Narrative of facts, Art. 2131

Partial judgment, Art. 1911

Payment of costs, Art. 2126

Preparation

generally, Art. 2127

transcript, preparation, Art. 2127.2

Record on appeal

generally, Art. 2127

for detailed treatment see index heading RECORD ON APPEAL

Removal of legal representative, **Art.** 2122

Return day, Art. 2125, 2125.1

Security furnished for appeal, Art. 2124

Statement of facts, Art. 2130

Art. 2089

#### APPEAL OR REVIEW—Cont'd APPELLATE COURTS—Cont'd Suspension of appointment or removal of Devolutive appeal, delay for taking, Art. legal representative, Art. 2122 Suspensive appeal, delay for taking, **Art.** Dismissal 2123 abandonment, dismissal for, Art. 2162 Transcript, preparation, Art. 2127.2 consent of parties, dismissal by, Art. Vacating appointment or removal of legal 2162 representative on appeal, Art. 2122 irregularities, dismissal for, Art. 2161 jurisdiction, dismissal for lack, Art. APPEARANCE 2162 Substitution of parties, appearance failure transfer, dismissal for, Art. 2162 by legal successor, Art. 804 Divesting of jurisdiction of trial court, APPELLATE COURTS Art. 2088 Generally, Art. 2081 et seq. Errors, assignment, Art. 2129 Abandonment **Exceptions** action, abandonment of, Art. 561, 2162 assignment of errors, Art. 2129 appeals deemed abandoned, Art. 2165 remand if prescription or peremption dismissal due to abandonment, Art. pleaded, Art. 2163 2162 Extension of return day granted by clerk Answer of appellee, Art. 2133 of court, notice, Art. 2125.1 Applicability of title, Art. 2081 Finality of judgment Appointment of legal representative, Art. court of appeal, finality of judgment by, 2122 Art. 2166 Assignment of errors, Art. 2129 rehearing, Art. 2166, 2167 Certified record on appeal, Art. 2127.1 supreme court judgment, finality, Art. Citation, Art. 2168 2167 Clerk of court, notice of extension of Immovable property, description of return day granted by, Art. 2125.1 affected by judgments or decrees, Consent of parties, dismissal by, **Art.** Art. 2089 2162 Irregularities, dismissal for, Art. 2161 Contempt, record on appeal, Art. 2127.3 Judgments or decrees Content of record on appeal, determinagenerally, Art. 2083 tion, Art. 2128 court of appeal, finality of judgment by, Correction of record on appeal, Art. 2132 Art. 2166 Costs and expenses description of immovable property generally, Art. 2164 affected by, Art. 2089 payment of costs, Art. 2126 finality of judgment Court of appeal. See index heading COURT generally, Art. 2166, 2167 OF APPEAL court of appeal, finality of judgment Dated record on appeal, Art. 2127.1 by, Art. 2166 Definition of appeal, Art. 2082 rehearing, Art. 2166, 2167 Delay supreme court judgment, finality, devolutive appeal, delay for taking, Art. 2167 Art. 2087 rehearing, Art. 2166, 2167 suspensive appeal, delay for taking, supreme court judgment, finality, Art. Art. 2123 2167 Delivery of transcript of record on appeal, Jurisdiction Art. 2127.2 dismissal for lack, Art. 2162 Description of immovable property affected by judgments or decrees, divesting of jurisdiction of trial court,

Art. 2088

#### APPELLATE COURTS—Cont'd APPELLATE COURTS—Cont'd Jurisdiction—Cont'd Return day trial court, divesting of jurisdiction, generally, Art. 2125 Art. 2088 notice of extension of return day Legal representative granted by clerk of court, Art. 2125.1 appeal by, Art. 2084 appointment, Art. 2122 Scope of appeal, Art. 2164 removal, Art. 2122 Security furnished for appeal, Art. 2124 Limitations on appeals, Art. 2085 Statement of facts, record on appeal, Art. 2130 Method of appealing, Art. 2121 Stay of judgment Narrative of facts, record on appeal, Art. court of appeal, Art. 2166 2131 rehearing, Art. 2166, 2167 Notice of extension of return day granted by clerk of court, Art. 2125.1 supreme court, Art. 2167 Payment of costs, Art. 2126 Substitution of parties, Art. 821 Peremptory exception filed in appellate Supervisory writs, Art. 2201 court, **Art. 2163** Supreme court. See index heading Pleading, prescription pleaded, Art. 2163 SUPREME COURT Suspension of appointment or removal of Posting of unpublished opinions, Art. legal representative, Art. 2122 2168 Suspensive appeal, delay for taking, Art. Preparation record on appeal, Art. 2127, 2127.2 Third person's right to appeal, Art. 2086 transcript of record on appeal, Art. Time when answer of appellee necessary, 2127.2 Art. 2133 Prescription pleaded, remand, Art. 2163 Transcript of record on appeal, prepara-Procedure, generally, Art. 2081 et seq. tion, Art. 2127.2 Record on appeal Transfer, dismissal for, Art. 2162 generally, Art. 2127 Trial court jurisdiction, divesting, Art. for detailed treatment see index head-2088 ing record on Appeal Unpublished opinions, posting of, Art. Rehearing 2168 court of appeal, finality of judgment, Vacating appointment or removal of legal Art. 2166 representative on appeal, Art. 2122 finality of judgment APPLICATION generally, Art. 2166, 2167 New trial court of appeal, Art. 2166 delay for applying for new trial, Art. supreme court judgment, Art. 2167 judgments, generally, Art. 2166, 2167 verifying affidavit, Art. 1975 stay of judgment Wrongful conviction and imprisonment, generally, Art. 2166, 2167 application for compensation for, court of appeal, Art. 2166 Art. 87 supreme court judgment, Art. 2167 **APPOINTMENTS** stay of judgment by court of appeal, Art. 2166 Ad hoc judge, power, Art. 157 Appellate courts, appointment of legal stay of supreme court judgment, Art. representative, Art. 2122 2167 supreme court judgment, Art. 2167 Costs and expenses, appointment of expert witnesses, Art. 192 Remand, prescription pleaded, Art. 2163 District judge, supreme court, Art. 158 Removal of legal representative, Art. 2122 Expert witnesses, appointment, Art. 373

#### APPOINTMENTS—Cont'd

Interpreters, Art. 192.2

Legal representative, appellate courts, Art. 2122

Officers of court, expert appointed by court, **Art. 373** 

Power and authority, appointment of expert witnesses, Art. 192, 192.1

Recusation of judges

ad hoc judge, power, **Art. 157** supreme court appointment of district judge, **Art. 158** 

Supreme court appointment of district judge, **Art. 158** 

#### **APPROVAL**

See index heading Consent or APPROVAL

#### ARMED FORCES

1572

Jurisdiction, Art. 11

#### ASSIGNMENT OF CASES

Generally, **Art. 1571 et seq.**Court rule, assignment by, **Art. 1571**Notice of trial, written request for, **Art.** 

Preference, Art. 1573

Random assignment of cases, **Art. 253.1** Reassignment of pending cases, **Art. 253.2** 

Rule of court, assignment by, **Art. 1571** Terminally ill, **Art. 1573** 

Written request for notice of trial, **Art.** 1572

#### ASSIGNMENT OF ERRORS

Appellate courts, Art. 2129

# ASSIGNMENT OF NEW TRIAL

Generally, Art. 1977

# ASSIGNOR AND ASSIGNEE

Parties plaintiff, Art. 698

#### **ATTACHMENT**

Jurisdiction over property, Art. 9

#### **ATTORNEYS**

See index heading LEGAL REPRESENTATIVES

#### **AUTHORITY**

See index heading POWER AND AUTHORITY

#### BONDS

Costs in jury trial generally, **Art. 1733** 

#### BONDS—Cont'd

Costs in jury trial—Cont'd fixing, **Art. 1734** 

Fixing costs in jury trial, **Art. 1734** Venue, action on judicial bond, **Art. 75** 

#### **BURDEN OF PROOF**

See index heading presumptions and burden of proof

# **CALLING AND EXAMINING JURORS**

Generally, Art. 1761

For detailed treatment see index heading JURY TRIAL

#### **CAPACITY**

Parties. See index heading Parties Pleading, **Art. 855** 

#### **CAPTION**

Pleadings, Art. 853

# CAUSE OF ACTION

Defense, Art. 424

#### **CERTIFICATION**

Class actions, Art. 592 Depositions, Art. 1446

# **CERTIFIED COPIES**

Clerks of court, Art. 251

#### **CERTIFIED MAIL**

Subpoenas, service by, Art. 1355.1

# CERTIFIED RECORD ON APPEAL

Appellate courts, Art. 2127.1

# **CHANGE OF VENUE**

Generally, Art. 121 et seq.

City court, transfer to, Art. 124

Forum non conveniens

generally, Art. 123

city court, transfer to, Art. 124

Improper venue, Art. 121

Proper venue, Art. 122

Transfers

generally, Art. 121

city court, Art. 124

#### **CHARTERS**

Secretary of state, charter of corporation revoked by, **Art. 85** 

#### CHIEF DEPUTY CLERK

District court clerks, powers, Art. 286

#### **CHILDREN**

Parties, unemancipated minors as parties, Art. 683, 732

#### CITATION

Generally, **Art. 1201 et seq.**Appellate court procedure, **Art. 2168**Cross-claims, citation unnecessary, **Art.**1072

Form of citation, Art. 1202

Intervention, citation unnecessary, Art. 1093

Multiple defendants, citation to legal representative of, **Art. 1203** 

Reconvention, citation unnecessary, **Art.** 1063

Third parties, service of citation, **Art.** 1114

Waiver, Art. 1201

#### **CITY COURT**

Forum non conveniens, Art. 124

# **CLASS ACTIONS**

Generally, Art. 591 et seq.
Certification procedure, Art. 592
Compromise, Art. 594
Dismissal, Art. 594
Expenses of litigation, award, Art. 595
Forum non conveniens, Art. 593.2
Judgment, Art. 592, 597
Lis pendens, Art. 593.1

Orders, **Art. 593.1** 

Prerequisites, Art. 591

Freiequisites, Art. 391

Prescription, Art. 596

Security for costs, Art. 595

Suspension, Art. 596

Venue, Art. 593

# **CLERKS OF COURT**

Generally, Art. 251 et seq.

Appellate courts, notice of extension of return day granted by clerk of court, Art. 2125.1

Authority to hear certain matters, duty judge exceptions, **Art. 253.3** 

Certified copies, Art. 251

Chief deputy clerk, powers, Art. 286

Contempt, punishment for refusal to perform duty, **Art. 257** 

Copies, certified copies, Art. 251

Custodian of court records, Art. 251

#### CLERKS OF COURT-Cont'd

Deputy clerks

generally, Art. 255

contempt, punishment for neglect, failure, or refusal to perform duty,

Art. 257

district court clerks, powers, **Art. 286** District court clerks

generally, Art. 281 et seq.

chief deputy clerk, powers, Art. 286

deputy clerk, powers, Art. 286

ex officio notary, Art. 287

holiday, functions exercised on, **Art. 288** 

judgments signed by, Art. 283 judicial powers, Art. 284

notary, Art. 287

orders signed by, Art. 283

Orleans Parish, Civil District Court for, Art. 281

powers, Art. 284 et seq.

signature on orders and judgments, Art. 283

Dockets, Art. 254

Documents to be filed with, Art. 253

Electronic filing and recording of written instruments, **Art. 258** 

Exhibits to be filed with, Art. 253

Ex officio notary, district court clerks, Art. 287

Holiday, functions of district court clerks exercised on, Art. 288

Judgments signed by district court clerks, Art. 283

Judicial powers of district court clerks, Art. 284

Liability of clerk of court, Art. 259

Minute books, Art. 254, 256

Neglect, punishment for contempt, **Art. 257** 

Notary, district court clerks, Art. 287

Notice of extension of return day granted by, Art. 2125.1

Orders signed by district court clerks, Art. 283

Orleans Parish, Civil District Court for, Art. 281

Pleadings, Art. 253, 253.1

Powers of district court clerks, **Art. 284** et seq.

Process, issuance, Art. 252

# CLERKS OF COURT—Cont'd

Public records, Art. 251

Punishment for contempt for refusal to perform duty, **Art. 257** 

Random assignment of cases, **Art. 253.1** Reassignment of pending cases, **Art. 253.2** 

Records and recordings

custodian of records of court, **Art. 251** electronic filing and recording of written instruments, **Art. 258** 

Records of court, custodian, Art. 251

Refusal to perform duty, punishment for contempt, **Art. 257** 

Signature on orders and judgments, district court clerks, **Art. 283** 

Transfer of pending cases, Art. 253.2

# COMMENCEMENT OF ACTION

Generally, Art. 421

# **COMMUNITY PROPERTY**

Partition, Art. 82

#### COMPENSATION

Reconvention, pleading compensation, Art. 1062

Wrongful conviction and imprisonment, application for compensation for, Art. 87

# COMPETENCY OF WITNESS

Depositions, Art. 1455

#### **COMPLETION OF TRIAL**

Generally, Art. 1637

#### **COMPROMISE**

Class actions, Art. 594

#### CONFORMITY TO EVIDENCE

Amendment of pleadings, Art. 1154

# CONSENT OR APPROVAL

Appellate courts, dismissal by consent of parties, **Art. 2162** 

Dismissal by consent of parties, Art. 2162

Jurisdiction conferred by, Art. 3

Nullity action, action lost through acquiescence, Art. 2003

Power to punish for failure to comply with consent agreement, Art. 224

# CONSOLIDATION OF CASES FOR TRIAL

Generally, Art. 1561

#### CONSTABLE

Execution of instruments by, Art. 332

# CONSTRUCTION AND INTERPRETATION

Contract, Art. 1873

Judgments or decrees

generally, Art. 1881

for detailed treatment see index heading JUDGMENTS OR DECREES

Pleading, Art. 865

#### **CONSTRUCTIVE CONTEMPT**

Generally, Art. 224 et seq.

For detailed treatment see index heading CONTEMPT

#### **CONTEMPT**

Generally, Art. 221 et seq.

Appellate courts, record on appeal, **Art.** 2127.3

Clerks of court, punishment for refusal to perform duty, **Art. 257** 

Constructive contempt

generally, Art. 224 et seq.

imprisonment until performance, Art. 226

performance, imprisonment until, Art. 226

power to punish

generally, Art. 224 et seq.

imprisonment until performance, Art. 226

performance, imprisonment until,

Art. 226 procedure for punishing, Art. 225

procedure for punishing, Art. 225

Depositions, failure to comply with order compelling discovery, **Art. 1470** 

Direct contempt, Art. 222 et seq.

Exceptions, Art. 222.1

Expert witnesses, punishment for neglect of duty, **Art. 375** 

Fingerprinting, Art. 222.1

Imprisonment until performance, Art. 226

Legal representative, punishment for neglect of duty, Art. 375

Officers of court, punishment for neglect of duty, Art. 375

#### CONTEMPT—Cont'd

Performance, imprisonment until, **Art. 226** 

Photographing, Art. 222.1

Power to punish

generally, Art. 221 et seq.

constructive contempt

generally, Art. 224 et seq.

imprisonment until performance, Art. 226

performance, imprisonment until, Art. 226

procedure for punishing, Art. 225

direct contempt, Art. 222 et seq.

exceptions, Art. 222.1

fingerprinting, Art. 222.1

imprisonment until performance, Art. 226

performance, imprisonment until, **Art.** 226

photographing, Art. 222.1

procedure for punishing, Art. 223, 225

Procedure for punishing, Art. 223, 225

Record on appeal, Art. 2127.3

Sheriffs

collection of fines from persons found guilty of contempt of court, **Art.** 

punishment for neglect of duty, **Art.** 334

#### **CONTENTS**

Appellate courts, determination of content of record on appeal, Art. 2128

Record on appeal, determination of content, **Art. 2128** 

#### CONTINUANCE

Generally, Art. 1601 et seq.

Admission of adverse party, prevention of continuance by, **Art. 1604** 

Discretionary grounds, Art. 1601

Motion for continuance, Art. 1603, 1605

Order, Art. 1605

Peremptory grounds, Art. 1602

Prevention of continuance by admission of adverse party, **Art. 1604** 

Trial of motion, Art. 1605

# CONTRACTS OR AGREEMENTS

Consent agreement, power to punish for failure to comply with consent agreement, Art. 224

# CONTRACTS OR AGREEMENTS

—Cont'd

Construction and interpretation, Art. 1873

Declaratory judgments, construction of contract, Art. 1873

Depositions, stipulations, Art. 1436

Venue, exceptions to general rules, **Art.** 

#### **CONTRADICTORY MOTIONS**

Generally, Art. 963

#### **CONVICTION OF CRIME**

Wrongful conviction and imprisonment, application for compensation for, Art. 87

#### COPIES AND COPYING

Clerks of court, certified copies, Art. 251

Depositions, Art. 1446

Exhibits, service of copy of exhibit to pleading, **Art. 1311** 

#### CORPORATIONS

Charter of corporation revoked by secretary of state, **Art. 85** 

Courts

charter of corporation revoked by secretary of state, **Art. 85** 

domestic corporations, exceptions to general rules, **Art. 85** 

exceptions to general rules

charter of corporation revoked by secretary of state, **Art. 85** 

domestic corporations, Art. 85

revocation of corporate charter by secretary of state, **Art. 85** 

secretary of state, revocation of corporate charter by, Art. 85

venue

charter of corporation revoked by secretary of state, **Art. 85** 

domestic corporations, Art. 85

revocation of corporate charter by secretary of state, **Art. 85** 

secretary of state, revocation of

corporate charter by, Art. 85

Derivative actions

generally, Art. 611 et seq.

for detailed treatment see index heading derivative actions

Domestic corporations, generally, **Art.** 

#### CORPORATIONS—Cont'd COSTS AND EXPENSES—Cont'd Exceptions to general rules Appellate courts generally, Art. 85 generally, Art. 2164 payment of costs, Art. 2126 charter of corporation revoked by secretary of state, Art. 85 Appointment of expert witnesses, Art. domestic corporations, Art. 85 Bond for costs, Art. 1733, 1734 Foreign corporations Class actions, security for costs, Art. 595 generally, Art. 691 Courts insurance corporations, Art. 691 appellate courts service of process and papers, Art. generally, Art. 2164 1261, 1262 payment of costs, Art. 2126 Insurance appointment of expert witnesses, Art. generally, Art. 690, 739 192 foreign insurance corporation as parties expert witnesses, appointment, Art. plaintiff, Art. 691 192 Liquidation, corporation in liquidation as payment of costs, appellate courts, Art. parties, Art. 692, 740 Parties, corporations as Depositions, Art. 1446, 1447, 1472, 1475 generally, Art. 690 et seq., 739 et seq. Expert witnesses, appointment, Art. 192 for detailed treatment see index head-Fixing bond for costs in jury trial, Art. ing parties 1734 Receivership, corporation in receivership Judgments, Art. 1920 as parties, Art. 692, 740 Jury trial, bond for costs, Art. 1733, 1734 Revocation of corporate charter by secre-Liability of parties for costs, Art. 1920 tary of state, Art. 85 Payment of costs, appellate courts, Art. Secretary of state, revocation of corporate 2126 charter by, Art. 85 Rendition of judgment, Art. 1920 Service of process and papers, Art. 1261, Security for costs, class actions, Art. 595 Taxation of costs, Art. 1920 Unincorporated associations. See index Trial, Art. 1733, 1734 heading unincorporated associations **COUNTER AFFIDAVIT** Venue charter of corporation revoked by sec-Depositions, Art. 1475 retary of state, Art. 85 **COURT OF APPEAL** domestic corporations, Art. 85 Appellate courts, finality of judgment by exceptions to general rules court of appeal, Art. 2166 generally, Art. 85 Finality of judgment by, Art. 2166 charter of corporation revoked by Recusation of judges, Art. 160 secretary of state, Art. 85 Rehearing, Art. 2166 revocation of corporate charter by secretary of state, Art. 85 **COURT REPORTER** Officers of court, Art. 372 secretary of state, revocation of corporate charter by, Art. 85 **COURT RULE** CORRECTION Assignment of cases for trial, Art. 1571 Appellate courts, correction of record on **COURTS** appeal, Art. 2132 Generally, Art. 1 et seq. Record on appeal, correction, Art. 2132 Abandonment COSTS AND EXPENSES appeals deemed abandoned, Art. 2165 Generally, Art. 2164 dismissal for, Art. 2162

# COURTS—Cont'd Ad hoc judge. See index heading AD HOC Administration by sheriff of seized propdisbursements for, Art. 329 power of sheriffs, Art. 328, 329 Adoption, marriage of persons related by, Art. 74.3 Amount in dispute, subject matter jurisdiction, Art. 4 Answer of appellee, Art. 2133 Appeal defined, Art. 2082 Appellate courts generally, Art. 2081 et seq. for detailed treatment see index heading APPELLATE COURTS Applicability of title, appellate courts, Art. 2081 Appointments ad hoc judge, power, Art. 157 district judge, supreme court, Art. 158 expert witnesses, Art. 373 legal representative, appellate courts, Art. 2122 recusation of judges ad hoc judge, power, Art. 157 supreme court appointment of district judge, Art. 158 supreme court appointment of district judge, Art. 158 Assignment of errors, appellate courts, Art. 2129 Attachment, jurisdiction over property, Art. 9 Attorneys, officers of court, **Art. 371** Authority to hear certain matters, duty judge exceptions, Art. 253.3 Certificates and certification clerks of court, certified copies, Art. record on appeal certified, Art. 2127.1 In chambers, power of district court to act. Art. 194, 195 Change in domicile, venue in action against individual, Art. 71 Change of venue generally, Art. 121 et seq.

for detailed treatment see index head-

ing CHANGE OF VENUE

# COURTS—Cont'd Charter of corporation revoked by secretary of state, Art. 85 Clerks of court generally, Art. 251 et seq. for detailed treatment see index heading CLERKS OF COURT Collection of fines from persons found guilty of contempt of court, Art. 330 Community property, partition, Art. 82 Conflict between two or more articles, venue, Art. 45 Consent dismissal by consent of parties, Art. 2162 jurisdiction conferred by, Art. 3 Constable, service of process by, Art. 332 Constructive contempt. See index heading CONTEMPT Contempt generally, Art. 221 et seq. for detailed treatment see index heading CONTEMPT Content of record on appeal, determination, Art. 2128 Contract action, venue, Art. 76.1 Copies certified by clerks of court, Art. 251 Corporations charter of corporation revoked by secretary of state, Art. 85 domestic corporations, exceptions to general rules, Art. 85 exceptions to general rules charter of corporation revoked by secretary of state, Art. 85 domestic corporations, Art. 85 revocation of corporate charter by secretary of state, Art. 85 secretary of state, revocation of corporate charter by, Art. 85 charter of corporation revoked by secretary of state, Art. 85 domestic corporations, Art. 85 revocation of corporate charter by secretary of state, Art. 85 secretary of state, revocation of corporate charter by, Art. 85 Correction of record on appeal, Art. 2132

COURTS—Cont'd	COURTS—Cont'd
Costs and expenses	District court clerks
appellate courts	generally, Art. 281 et seq.
generally, Art. 2164	for detailed treatment see index head-
payment of costs, Art. 2126	ing clerks of court
appointment of expert witnesses, <b>Art.</b> 192	District judge, supreme court appointment, <b>Art. 158</b>
payment of costs, Art. 2126	Dockets, clerks of court, Art. 254
Court of appeal judge, recusation of judges, <b>Art. 160</b>	Documents to be filed with clerks of court, <b>Art. 253</b>
Court reporter, officers of court, <b>Art. 372</b> Crier, sheriffs, <b>Art. 333</b>	Doing business in another parish, action against person, <b>Art. 77</b>
Custodian of court records, clerks of court as, <b>Art. 251</b>	Domestic corporations, exceptions to gen eral rules, <b>Art. 85</b>
Custody proceedings, venue, <b>Art. 74.2</b> Dated record on appeal, <b>Art. 2127.1</b>	Employee benefit programs, exceptions to general rules, <b>Art. 84</b>
Deaf and severely hearing-impaired persons, interpreters for, <b>Art. 192.1</b>	Entry right of sheriff for execution of instruments, <b>Art. 325</b>
Definitions	Errors, assignment, Art. 2129
appeal, Art. 2082	Exceptions. See index heading objections
jurisdiction, Art. 1	AND EXCEPTIONS
venue, Art. 41	Exceptions to general rules
Delay	generally, Art. 71 et seq.
devolutive appeal, delay for taking, Art. 2087	adoption, marriage of persons related by, <b>Art. 74.3</b>
suspensive appeal, delay for taking, Art. 2123	change in domicile, action against individual, <b>Art. 71</b>
Delivery of transcript of record on appeal, Art. 2127.2	charter of corporation revoked by secretary of state, <b>Art. 85</b>
Deputy clerks of court, <b>Art. 255</b> Deputy sheriffs	community property, partition, <b>Art. 82</b> contract, action on, <b>Art. 76.1</b>
ž •	corporations
generally, Art. 331	generally, <b>Art. 85</b>
punishment for contempt for neglect of duty, Art. 334	charter of corporation revoked by secretary of state, <b>Art. 85</b>
Description of immovable property	custody proceedings, Art. 74.2
affected by judgments or decrees, <b>Art. 2089</b>	disavowal of filiation, Art. 74.1
Direct contempt, power to punish for,	dissolution of partnership, Art. 79
Art. 222 et seq.	doing business in another parish, action against person, Art. 77
Disavowal of filiation, venue, <b>Art. 74.1</b>	domestic corporations, Art. 85
Disbursements for protection, preserva-	employee benefit programs, Art. 84
tion, and administration of seized property, <b>Art. 329</b>	existing partnership, Art. 78
Discretion. See index heading discretion	filiation, Art. 74.1
OF COURT	forum non conveniens, Art. 74.2
Dismissal	immovable property, Art. 80
generally, <b>Art. 1671 et seq.</b>	insurance policy, action on, Art. 76
for detailed treatment see index head-	joint obligors, Art. 73
ing dismissal	judgment, Art. 72
District court. See index heading DISTRICT	judicial bond, action on, Art. 75
COURT	marriage of persons, Art. 74.3, 74.3.1

#### COURTS—Cont'd COURTS—Cont'd Finality of judgment. See index heading Exceptions to general rules—Cont'd offense or quasi offense, Art. 74 JUDGMENTS OR DECREES Fines, collection of fines by sheriff from partition persons found guilty of contempt of community property, Art. 82 court, Art. 330 partnership property, Art. 83 Fingerprinting, power to punish for partners and partnership contempt, Art. 222.1 dissolution of partnership, Art. 79 Foreign courts. See index heading FOREIGN existing partnership, Art. 78 COURTS partition of partnership property, Forum non conveniens. See index heading Art. 83 FORUM NON CONVENIENS property, Art. 72 Fruits, seizure of by sheriff, Art. 327 quasi offense, Art. 74 Holidays, execution of writs by sheriff on, retirement systems, Art. 84 Art. 323 revocation of corporate charter by sec-Immovable property retary of state, Art. 85 appellate courts, description of affected secretary of state, revocation of by judgments or decrees, Art. corporate charter by, Art. 85 2089 succession, Art. 81 venue, exceptions to general rules, Art. support proceedings, Art. 74.2 80 Imprisonment generally, Art. 43, 71 et seq. performance, power to punish for for detailed treatment see index constructive contempt, Art. 226 heading VENUE sheriffs, imprisonment of persons Execution of instruments found guilty of contempt of court, constable, execution by, Art. 332 Art. 330 entry right for execution, Art. 325 Improper venue, Art. 121 holidays, execution of writs on, Art. Inherent judicial power, Art. 191 Inmates, testimony, Art. 197 marshal, execution by, Art. 332 In rem, jurisdiction over property. See returns on execution of writs, Art. 324 index heading JURISDICTION Insurance policy, action on, Art. 76 constable, execution by, Art. 332 Interpreters for the deaf and severely entry right for execution, Art. 325 hearing-impaired persons, Art. 192.1 holidays, execution of writs on, Art. Irregularities, appellate court dismissal 323 for, Art. 2161 marshal, execution by, Art. 332 Joint obligors, venue, Art. 73 returns on execution of writs, Art. Judges. See index heading JUDGES 324 Judicial bond, action on, Art. 75 writs. Art. 321 Judicial proceedings by remote technolwrits, **Art. 321** ogy, Art. 195.1 Exhibits to be filed with clerks of court. Jurisdiction Art. 253 generally, Art. 1 et seq. Expert witnesses. See index heading for detailed treatment see index head-EXPERTS ing JURISDICTION Extension of return day granted by clerk Justice of supreme court, recusation of of court, notice, Art. 2125.1 judges, Art. 159 Filiation, exceptions to general rules, Art. Legal representative Filing of recusation motion, Art. 153 appeal by, Art. 2084

COURTS—Cont'd	COURTS—Cont'd
Legal representative—Cont'd	Partners and partnership—Cont'd
appellate courts	existing partnership, Art. 78
appointment, Art. 2122	partition of partnership property, Art.
removal, Art. 2122	83
appointment, Art. 2122	venue
contempt of court, punishment for	dissolution of partnership, Art. 79
neglect of duty, Art. 375	existing partnership, Art. 78
officers of court, Art. 374	partition of partnership property,
removal, Art. 2122	Art. 83
Limitations on appeals, Art. 2085	Payment of costs, appellate courts, Art.
Local rules, power to adopt, Art. 193	2126
Marriage of persons, Art. 74.3, 74.3.1	Peremptory exception filed in appellate
Marshal, service of process by, Art. 332	court
Method of appealing, Art. 2121	remand if prescription or peremption
Minute books, clerks of court, Art. 254,	pleaded, Art. 2163
256	Performance, power to punish by
Motions. See index heading motions	imprisonment until, Art. 226
Narrative of facts, record on appeal, <b>Art.</b> 2131	Photographing, power to punish for contempt, <b>Art. 222.1</b>
Neglect	Pleading. See index heading PLEADING
clerks of court, punishment for	Power and authority
contempt, Art. 257	generally, Art. 191 et seq.
officers of court neglect of duty,	appointment of expert witnesses, Art.
punishment for contempt of court, <b>Art. 375</b>	192, 192.1
	constructive contempt
sheriffs' neglect of duty, punishment for contempt, <b>Art. 334</b>	generally, Art. 224 et seq.
Notice of extension of return day granted	for detailed treatment see index
by clerk of court, <b>Art. 2125.1</b>	heading Contempt
Objections. See index heading OBJECTIONS	contempt, power to punish for
AND EXCEPTIONS	generally, Art. 221 et seq.
Offense or quasi offense, venue, Art. 74	for detailed treatment see index
Officers of court	heading сонтемрт
generally, Art. 371 et seq.	costs and expenses, appointment of
for detailed treatment see officers of	expert witnesses, Art. 192
COURT	deaf and severely hearing-impaired
Orders, power and authority as to signing,	persons, interpreters for, <b>Art.</b>
Art. 194	192.1
Own parish, sheriff to exercise civil functions only in, <b>Art. 322</b>	direct contempt, power to punish for, <b>Art. 222 et seq.</b>
Partition	district court
community property, venue, Art. 82	in chambers, power to act, Art. 194,
partnership property, venue, Art. 83	195
Partners and partnership	in vacation, power to act, Art. 196
dissolution of partnership, Art. 79	exceptions, power to punish for
exceptions to general rules	contempt, Art. 222.1
dissolution of partnership, Art. 79	expert witnesses, appointment, <b>Art.</b>
existing partnership, Art. 78	192, 192.1
partition of partnership property,	fingerprinting, power to punish for
Art. 83	contempt, Art. 222.1

property, Art. 329

#### COURTS—Cont'd COURTS—Cont'd Power and authority—Cont'd Records of court, clerks of court as imprisonment until performance, power custodian of records of court, Art. to punish for constructive 251 contempt, Art. 226 Recusation of judges in chambers, power of district court to generally, Art. 151 et seq. act, Art. 194, 195 for detailed treatment see index headinherent judicial power, Art. 191 ing recusation of Judges Reduction of claim, subject matter jurisinmates, testimony, Art. 197 diction, Art. 5 interpreters for the deaf and severely Refusal to perform duty, punishment for hearing-impaired persons, Art. contempt, Art. 257 192.1 Rehearing judgments, signing, Art. 194 appellate courts. See index heading local rules, power to adopt, Art. 193 APPELLATE COURTS orders, signing, Art. 194 court of appeal, finality of judgment by, performance, imprisonment until, Art. Art. 2166 226 finality of judgment, Art. 2166, 2167 photographing, power to punish for judgments, Art. 2166, 2167 contempt, Art. 222.1 stay of judgment, Art. 2166, 2167 procedure for punishing contempt, Art. supreme court judgment, finality, Art. 223, 225 2167 publication, Art. 193 Remand, prescription pleaded, Art. 2163 signing orders and judgments, Art. 194 Removal of legal representative, Art. vacation, power of district court to act 2122 in, Art. 196 Rents, seizure of by sheriff, **Art. 327** Preparation Retirement systems, exceptions to general record on appeal, Art. 2127, 2127.2 venue rules, Art. 84 transcript of record on appeal, Art. Return day 2127.2 appellate courts Prescription pleaded, remand, Art. 2163 generally, Art. 2125 Preservation of seized property, disbursenotice of extension of return day ments for, Art. 326, 329 granted by clerk of court, Art. Property, venue generally, Art. 72 2125.1 Protection and preservation of seized notice of extension of return day property, Art. 326, 329 granted by clerk of court, Art. Publication, power and authority, Art. 2125.1 193 Returns on process served by sheriffs, Public records, clerks of court, Art. 251 Art. 324 Quasi in rem, jurisdiction over property, Revenue of property under seizure, Art. 9 sheriffs, Art. 327 Quasi offense, exceptions to general Scope of appeal, Art. 2164 venue rules, Art. 74 Secretary of state, revocation of corporate Random assignment of cases, clerks of charter by, Art. 85 court, Art. 253.1 Security furnished for appeal, Art. 2124 Reassignment of pending cases, Art. Seizure 253.2 administration of property under Record on appeal seizure, power, Art. 328, 329 generally, Art. 2127 disbursements for protection, preservafor detailed treatment see index headtion, and administration of seized

ing record on appeal

COURTS—Cont'd	COURTS—Cont'd
Seizure—Cont'd	Sheriffs—Cont'd
fruits, seizure, Art. 327	execution of instruments
protection and preservation of seized	constable, execution by, Art. 332
property, Art. 326, 329	entry right for execution, Art. 325
rents, seizure, Art. 327	holidays, execution of writs on, Art.
revenue of property under, Art. 327	323
sheriffs	marshal, execution by, Art. 332
administration of property under seizure, power, <b>Art. 328, 329</b>	returns on execution of writs, <b>Art.</b> 324
disbursements for protection, preser-	writs, <b>Art. 321</b>
vation, and administration of	fines, collection of fines from persons
seized property, Art. 329	found guilty of contempt of court,
fruits, seizure, Art. 327	Art. 330
protection and preservation of seized	fruits, seizure, <b>Art. 327</b>
property, Art. 326, 329	holidays, writs executed on, Art. 323
rents, seizure, Art. 327	imprisonment of persons found guilty
revenue of property under, Art. 327	of contempt of court, Art. 330
Selection of judge to try motion to recuse, <b>Art. 155, 156</b>	judgments executed, returns on, <b>Art.</b> 324
Service of process. See index heading SERVICE OF PROCESS OR PAPERS	marshal, service of process by, <b>Art.</b> 332
Sheriffs	neglect of duty, punishment for
generally, Art. 321 et seq.	contempt, Art. 334
administration of property under	officers of court, Art. 321 et seq.
seizure, power, Art. 328, 329	own parish, exercises civil functions
collection of fines from persons found	only in, Art. 322
guilty of contempt of court, <b>Art.</b> 330	power of sheriffs as to administration of seized property, Art. 328, 329
constable, service of process by, Art. 332	preservation of seized property, <b>Art.</b> 326, 329
contempt	protection of seized property, Art. 326,
collection of fines from persons	329
found guilty, Art. 330	rents, seizure, Art. 327
imprisonment of persons found	returns on service of process, <b>Art. 324</b>
guilty, Art. 330	revenue of property under seizure, Art
neglect of duty, punishment for, Art.	327
334	seizure
crier, <b>Art. 333</b>	administration of property under
deputy sheriff	seizure, power, Art. 328, 329
generally, Art. 331	disbursements for protection, preser-
punishment for contempt for neglect	vation, and administration of seized property, <b>Art. 329</b>
of duty, <b>Art. 334</b>	fruits, seizure, <b>Art. 327</b>
disbursements for protection, preserva-	
tion, and administration of seized	protection and preservation of seized property, <b>Art. 326, 329</b>
property, Art. 329	rents, seizure, Art. 327
district court, executive officer, <b>Art.</b>	revenue of property under, <b>Art. 327</b>
021	service of process
entry right for execution, <b>Art. 325</b>	generally, <b>Art. 321</b>
exceptions, exercises civil functions only in own parish, <b>Art. 322</b>	constable, service by, Art. 332
omy m own parish, Art. 322	constant, service by, Art. 332

COURTS—Cont'd	COURTS—Cont'd
Sheriffs—Cont'd	Transfers
service of process—Cont'd	city court, transfer to, Art. 124
marshal, service by, Art. 332	dismissal for transfer, Art. 2162
returns on, Art. 324	pending cases, Art. 253.2
writs, <b>Art. 321</b>	venue, change, Art. 121, 123, 124
Signing orders and judgments, Art. 194	Trial court jurisdiction, divesting, <b>Art.</b>
Statement of facts, record on appeal, <b>Art.</b>	2088
2130	Vacating or setting aside. See index head-
Status, jurisdiction over, <b>Art. 10</b>	ing vacating or setting aside
Stay of judgment, rehearing, <b>Art. 2166</b> ,	Value of right asserted, subject matter
2167	jurisdiction, Art. 4
Sua sponte motion, recusation of judges,	Venue
Art. 152	generally, Art. 41 et seq.
Subject matter jurisdiction	for detailed treatment see index head-
generally, <b>Art. 2 et seq.</b>	ing venue
amount in dispute, Art. 4	Waiver of objection to venue, Art. 44
consent, jurisdiction conferred by, <b>Art.</b>	Writs, <b>Art. 321</b>
3	CRIER
reduction of claim, Art. 5	Sheriffs, Art. 333
value of right asserted, <b>Art. 4</b>	
Succession, exceptions to general venue	CRIMINAL LAW
rules, Art. 81	Discovery. See index heading discovery
Supervisory writs, appellate courts, <b>Art.</b>	Wrongful conviction and imprisonment,
2201	application for compensation for,
Support proceedings, exceptions to gen-	Art. 87
eral venue rules, <b>Art. 74.2</b>	CROSS-CLAIMS
Supreme court	Generally, Art. 1071 et seq.
appointment of district judge, <b>Art. 158</b>	Additional parties, Art. 1073
justice, Art. 159	Citation unnecessary, Art. 1072
motion, Art. 152	Service of cross-claim, Art. 1072
recusation of judges	CDOSC EVAMINATION
appointment of district judge, <b>Art.</b>	CROSS-EXAMINATION
158	Generally, Art. 1634
justice, Art. 159	Depositions, Art. 1443
motion, Art. 152	CUMULATION OF ACTIONS
rehearing, supreme court judgment,	Generally, Art. 461 et seq.
Art. 2167	Abandonment, Art. 561
Suspension or revocation	Definition of cumulation of actions, Art.
appointment or removal of legal repre-	461
sentative, suspension, Art. 2122	Improper cumulation, effect, Art. 464
corporate charter revocation by secre-	Joinder of parties, Art. 647
tary of state, Art. 85	Multiple parties, Art. 463
Suspensive appeal, delay for taking, <b>Art.</b>	Repeal, Art. 466
2123	Separate trials, Art. 465
Third person's right to appeal, Art. 2086	Single party, Art. 462
Time when answer of appellee necessary,	CUSTODY AND CUSTODIANS
Art. 2133	Clerks of court, custodian of court
Transcript of record on appeal, prepara-	records, Art. 251
tion, Art. 2127.2	Depositions, Art. 1446

#### CUSTODY AND CUSTODIANS—Cont'd

Exceptions to general rules, custody proceedings, **Art. 74.2** 

Venue, custody proceedings, Art. 74.2

#### DAMAGES

Petition, Art. 893

Separate trial of liability and damages issues, **Art. 1562** 

Special damage, pleading, Art. 861

#### **DEAF PERSONS**

Interpreters for deaf and severely hearingimpaired persons, Art. 192.1

#### **DEATH**

Abatement of action, death of party, **Art.** 428

Depositions, Art. 1430.1

Heirs or legatees, action against obligor's heirs or legatees, Art. 427

#### DECLARATORY JUDGMENTS

Generally, Art. 1871 et seq.

Construction or interpretation

generally, Art. 1881

contract, construction, **Art. 1873** uniformity of interpretation, **Art. 1883** 

Contract, construction, Art. 1873

Exclusivity, powers enumerated not exclusive, **Art. 1875** 

Fact issues, Art. 1879

Independent provisions, Art. 1882

Interested parties may obtain declaration of rights, status, or other legal relations, Art. 1872, 1874

Parties, Art. 1880

Powers enumerated not exclusive, **Art.** 1875

Refusal by court, Art. 1876

Review, Art. 1877

Scope, Art. 1871

Severable provisions, Art. 1882

Supplemental relief, Art. 1878

Uniformity of interpretation, Art. 1883

# **DECLINATORY EXCEPTIONS**

Evidence on trial of, **Art. 930** Objections raised by, **Art. 925** 

# DEFAULT AND DEFAULT JUDGMENTS

Generally, **Art. 1701 et seq.** Generally, **Art. 1702** 

#### DEFAULT AND DEFAULT JUDGMENTS—Cont'd

Generally, Art. 1843

Answer filed prior to confirmation of default, **Art. 1002** 

Certification, confirmation of default judgment, **Art. 1702.1** 

Confirmation of default judgment, **Art.** 1702.1. 1704

Hearing, confirmation of default judgment, Art. 1702.1

Information required, confirmation of default judgment, **Art. 1702.1** 

Judgment, Art. 1701

Political subdivision, confirmation of default judgment in suits against, Art. 1704

Scope of judgment, Art. 1703

State, confirmation of default judgment in suits against, Art. 1704

#### **DEFECTS OR IRREGULARITIES**

Appellate courts dismissal for irregularities, **Art. 2161** 

#### **DEFENSES**

Affirmative defenses, Art. 1005

Alternative defenses, Art. 1006

Cause of action as, Art. 424

Third parties, defenses of original defendant available to third-party defendant, **Art. 1115** 

#### **DEFINITIONS**

Appeal, Art. 2082

Cumulation of actions, Art. 461

"Defendant" as including defendant in incidental action, Art. 1040

Exceptions, Art. 921

Jurisdiction, Art. 1

"Plaintiff" as including plaintiff in incidental action, **Art. 1040** 

Venue, Art. 41

# **DELAY**

Answer, delay for answering, Art. 1001

Appellate courts devolutive appeal, delay for taking, Art. 2087

suspensive appeal, delay for taking, Art. 2123

Application for new trial, delay in, **Art.** 1974

# DELAY—Cont'd Devolutive appeal, delay for taking, Art. Judgments, delay for further action when notice required, Art. 1914 Maximum delays, new trial, Art. 1979 application for new trial, delay in, **Art.** 1974 maximum delays, Art. 1979 Suspensive appeal, delay for taking, Art. 2123 **DELIVERY** Appellate courts, delivery of transcript of record on appeal, Art. 2127.2 Service of process and papers, **Art. 1313** DENIAL OR REFUSAL Answer, Art. 1004 Clerks of court, contempt of court as punishment for refusal to perform duty, **Art. 257** Contempt clerks of court, punishment for refusal to perform duty, Art. 257 officers of court, punishment for refusal to perform duty, Art. 375 Declaratory judgments, refusal by court, Art. 1876 Joinder of parties, refusal to sue, Art. 644 Officers of court, contempt of court as punishment for refusal to perform duty, **Art. 375** Punishment

clerks of court, contempt of court as

duty, **Art. 257** 

duty, **Art. 375** 

Trial, refusal to testify, **Art. 1633** 

Witness' refusal to testify, Art. 1633

Art. 1633

contempt of court

punishment for refusal to perform

clerks of court, contempt of court as

punishment for refusal to

officers of court, contempt of court

as punishment for refusal to

punishment for refusal to perform

perform duty, Art. 257

perform duty, Art. 375

officers of court, contempt of court as

Testimony, refusal of witness to testify,

# DEPOSITIONS Generally, Art. 1429 et seq. Admissibility, Art. 1451 Admission requests answers, Art. 1467 effect of admission, Art. 1468 failure to admit, Art. 1472 objections, Art. 1467 service. Art. 1466 Affidavits, Art. 1474, 1475 After trial, Art. 1433 Answers, Art. 1467, 1473, 1474 Appeal or review, Art. 2128.1 Attorney of record, deposing, Art. 1452 Business records, option to produce, Art. Certification by officer, Art. 1446 Changes, Art. 1445 Compelling discovery, order, Art. 1469 et Competency of witness, Art. 1455 Completion and return of deposition, Art. Contempt, failure to comply with order compelling discovery, Art. 1470 Copies, Art. 1446 Costs, Art. 1446, 1447, 1472, 1475 Counter affidavit, Art. 1475 Cross examination, Art. 1443 Custody of deposition, Art. 1446 Death, Art. 1430.1 Disqualification of officer, objections, Art. 1454 Entry upon land, **Art. 1461 to 1463** Examination, Art. 1431, 1443, 1444 Exhibits, Art. 1446 Ex parte order, Art. 1430.1 Expenses, Art. 1446, 1447, 1472, 1475 Failure to attend or to serve or to respond, Art. 1447, 1473 Failure to comply with order compelling discovery, Art. 1470, 1471 Filing, notice of, Art. 1449 Financial records, Art. 1469.2 Foreign jurisdiction, deposition taken in, Art. 1435 Illness, incapacitating illness, Art. 1430.1 Inspection, Art. 1446, 1473

Interrogatories

availability, Art. 1457

DEPOSITIONS—Cont'd	DEPOSITIONS—Cont'd
Interrogatories—Cont'd	Order
procedure for use, Art. 1458	generally, Art. 1431
scope, Art. 1459	compelling discovery, Art. 1469 et seq.
service, Art. 1474	mental and physical examination of
trial, use at, <b>Art. 1459</b>	persons, Art. 1464
Limiting examination, Art. 1444	Organization, deposition of, Art. 1442
Manner of taking, Art. 1436	Perpetuation of testimony, Art. 1429 to
Manner or form of taking deposition, Art.	1431
1455	Person before whom deposition taken,
Medical records, Art. 1465, 1465.1,	Art. 1434
1469.1	Petition, <b>Art. 1429, 1430</b>
Mental and physical examination of	Physical and mental examination of
persons, Art. 1464, 1465, 1465.1	persons, Art. 1464, 1465, 1465.1
Modification of procedures, <b>Art. 1436</b>	Place, Art. 1438
Motions	Preparation of record, <b>Art. 1449</b> Production of documents and things, <b>Art.</b>
compelling discovery, motion for order, Art. 1469	1441, 1461 to 1463
	Record of examination, Art. 1443
terminate, motion to, <b>Art. 1444</b> Nonstenographic recordation of	Release of medical records, requests for,
testimony, Art. 1440	Art. 1465.1
Notice	Report of examining physician, mental
examination, notice of, Art. 1438	and physical examination of persons,
filing, <b>Art. 1449</b>	Art. 1465
financial records, compelling discovery	Return of deposition, Art. 1456
of, Art. 1469.2	Sanctions, failure to comply with order
inspection or copying, availability for,	compelling discovery, Art. 1471
Art. 1446	Service
irregularities in notice, objection to,	admission requests, Art. 1466
Art. 1453	affidavit, <b>Art. 1474, 1475</b>
petition, Art. 1430	answers, <b>Art. 1473, 1474</b>
service, Art. 1474	counter affidavit, Art. 1475
special notice, Art. 1439	failure to serve, <b>Art. 1447, 1473</b>
written questions, serving, <b>Art. 1448</b>	interrogatories, Art. 1474
Oath, <b>Art. 1443</b>	notices, Art. 1474
Objections	petition, Art. 1430 requests, Art. 1474
admissibility, Art. 1451	written objections, Art. 1474
admission requests, <b>Art. 1467</b>	written questions, Art. 1448
competency of witness, Art. 1455	Signing, Art. 1445
completion and return of deposition,	Special notice, Art. 1439
Art. 1456	Stipulations, Art. 1436
disqualification of officer, Art. 1454	Submission to witness, <b>Art. 1445</b>
examination, Art. 1443	Subpoena duces tecum, Art. 1438
manner or form of taking deposition,	Subpoenas, <b>Art. 1356, 1438</b>
Art. 1455	Taking of testimony, <b>Art. 1449</b>
notice, irregularities in, Art. 1453	Telephone, deposition by, <b>Art. 1436.1</b>
relevancy of testimony, Art. 1455	Terminate, motion to, <b>Art. 1444</b>
service of written objections, Art. 1474	Time
Oral examination, deposition upon, Art.	after trial, deposition after trial, <b>Art.</b>
1437	1433

#### DEPOSITIONS—Cont'd

Time—Cont'd

notice of examination, Art. 1438 when deposition may be taken, Art.

Use of deposition, **Art. 1432, 1450, 1452** Waiver

disqualification of officer, objections, **Art. 1454** 

irregularities in notice, objection to, Art. 1453

Written questions, serving, Art. 1448

#### DEPUTY CLERKS OF COURT

Generally, Art. 255

Contempt, punishment for neglect, failure, or refusal to perform duty, **Art.** 257

District court clerks, powers, Art. 286

#### **DEPUTY SHERIFFS**

Generally, Art. 331

Contempt, punishment for neglect of duty, Art. 334

#### **DERIVATIVE ACTIONS**

Generally, Art. 611 et seq.

Applicability, unincorporated association, Art. 617

Definition, Art. 617

Petition in shareholder's derivative action, Art. 615

Prerequisites, Art. 611

Procedure, Art. 613

Representation, Art. 612

Unincorporated association, Art. 617

Venue, Art. 614

#### DESCRIPTION

Appellate courts, description of immovable property affected by judgments or decrees, **Art. 2089** 

Rendition of judgment, description of immovable property, **Art. 1919** 

#### **DEVOLUTIVE APPEAL**

Delay for taking devolutive appeal, **Art. 2087** 

# DILATORY EXCEPTIONS

Evidence on trial of, **Art. 930** Objections raised by, **Art. 926** 

#### DIRECT CONTEMPT

Power to punish for, Art. 222 et seq.

#### DISAVOWAL OF FILIATION

Exceptions to general rules, Art. 74.1

# DISBURSEMENTS

Sheriffs, disbursements for protection, preservation, and administration of seized property, **Art. 329** 

#### **DISCIPLINARY MATTERS**

Clerks of court, punishment for contempt for refusal to perform or neglect of duty, Art. 257

Constructive contempt

generally, Art. 224 et seq.

imprisonment until performance, Art. 226

performance, imprisonment until, Art. 226

power to punish

generally, Art. 224 et seq.

imprisonment until performance,

**Art. 226** 

performance, imprisonment until, Art. 226

procedure for punishing, **Art. 225** procedure for punishing, **Art. 225** 

Contempt

generally, Art. 221 et seq.

clerks of court, refusal to perform duty, Art. 257

constructive contempt

generally, Art. 224 et seq.

imprisonment until performance,

**Art. 226** 

performance, imprisonment until, **Art. 226** 

procedure for punishing, Art. 225

denial or refusal to perform duty, **Art.** 375

deputy sheriffs, punishment for neglect of duty, **Art. 334** 

direct contempt, Art. 222 et seq.

exceptions, Art. 222.1

expert witnesses, punishment for neglect of duty, **Art. 375** 

fingerprinting, Art. 222.1

imprisonment until performance, **Art.** 226

legal representative, punishment for neglect of duty, Art. 375

Index-20

DISCIPLINARY MATTERS—Cont'd	DISCIPLINARY MATTERS—Cont'd
Contempt—Cont'd	Power to punish for contempt—Cont'd
neglect, punishment for, Art. 334, 375	constructive contempt
officers of court, refusal to perform	generally, Art. 224 et seq.
duty, <b>Art. 375</b>	imprisonment until performance,
performance, imprisonment until, <b>Art.</b>	Art. 226
226 photographing, Art. 222.1	performance, imprisonment until, <b>Art. 226</b>
power to punish for contempt, Art. 221	procedure for punishing, Art. 225
et seq.	direct contempt, Art. 222 et seq.
procedure for punishing, Art. 223, 225	exceptions, Art. 222.1
sheriffs, neglect of duty, Art. 334	fingerprinting, Art. 222.1
Denial or refusal	imprisonment until performance, Art.
clerks of court, punishment for refusal	226
to perform duty, <b>Art. 257</b> contempt of court, <b>Art. 375</b>	performance, imprisonment until, <b>Art. 226</b>
officers of court, punishment for refusal	photographing, Art. 222.1
to perform duty, Art. 375	procedure for punishing, Art. 223, 225
Deputy sheriffs, punishment for contempt for neglect of duty, <b>Art. 334</b>	Procedure for punishing contempt, Art. 223, 225
Direct contempt, power to punish for, <b>Art. 222 et seq.</b>	Refusal to perform duty, punishment for contempt, <b>Art. 257</b>
Exceptions, power to punish for	Sheriffs, contempt of court as punishment
contempt, Art. 222.1	for neglect of duty, Art. 334
Expert witnesses, punishment for neglect	DISCOVEDY
of duty, <b>Art. 375</b>	DISCOVERY
Fingerprinting, power to punish for	Generally, <b>Art. 1420 et seq.</b> Admission requests
contempt, Art. 222.1	answers, Art. 1467
Imprisonment until performance,	effect of admission, Art. 1468
constructive contempt, Art. 226	failure to admit, Art. 1472
Legal representative, punishment for neglect of duty, <b>Art. 375</b>	objections, Art. 1472
Neglect	service, Art. 1466
clerks of court, punishment for	Criminal law
contempt, Art. 257	records of Louisiana Board of Criminal
contempt, punishment for, Art. 334, 375	Identification and Information, Art. 1422.1
officers of court neglect of duty,	stay of discovery in civil matters by
punishment for contempt of court,	district attorney in related criminal
Art. 375	matter, <b>Art. 1426.1</b>
sheriffs' neglect of duty, punishment	Depositions
for contempt, Art. 334	generally, Art. 1429 et seq.
Officers of court, punishment for neglect of duty, <b>Art. 375</b>	for detailed treatment see index head- ing DEPOSITIONS
Performance, power to punish by	Entry upon land, Art. 1461 to 1463
imprisonment until, Art. 226	Experts, <b>Art. 1425</b>
Photographing, power to punish for	Insurance agreements, Art. 1423
contempt, Art. 222.1	Interrogatories
Pleading, attorney subject to disciplinary action, <b>Art. 864</b>	availability, <b>Art. 1457</b>
Power to punish for contempt	procedure for use, <b>Art. 1458</b>
generally, <b>Art. 221 et seq.</b>	scope, Art. 1459
generany, Art. 221 Ct SCy.	500pc, AI 6 1737

#### DISCOVERY—Cont'd

Interrogatories—Cont'd service. **Art. 1474** 

trial, use at, Art. 1459

Mental and physical examination of persons, Art. 1464, 1465, 1465.1

Methods of discovery, Art. 1421

Objections, Art. 1420

Physical and mental examination of persons, Art. 1464, 1465, 1465.1

Production of documents and things, Art. 1441, 1461 to 1463

Protective orders, Art. 1426

Records. See index heading records and recordings

Responses, signing, Art. 1420

Scope of discovery, Art. 1422 et seq.

Sequence of discovery, Art. 1427

Signing of discovery requests, responses, or objections, **Art. 1420** 

Stay of discovery in civil matters by district attorney in related criminal matter, **Art. 1426.1** 

Supplementation of responses, Art. 1428

Timing of discovery, Art. 1427

Trial preparation, scope of discovery, generally, **Art. 1424, 1425** 

# DISCRETION OF COURT

Continuance, Art. 1601 Instructions to jury, Art. 1792 New trial, Art. 1973

#### DISMISSAL

Generally, Art. 1671 et seq.

Abandonment, dismissal for, **Art. 2162** Appellate courts

abandonment, dismissal for, Art. 2162 consent of parties, dismissal by, Art. 2162

irregularities, dismissal for, **Art. 2161** jurisdiction, dismissal for lack, **Art.** 2162

transfer, dismissal for, Art. 2162

Class actions, Art. 594

Consent of parties, dismissal by, Art. 2162

Incidental actions, effect of dismissal of principal action, Art. 1039

Involuntary dismissal, Art. 1672

Irregularities, dismissal for, Art. 2161

#### DISMISSAL—Cont'd

Judgment of dismissal, effect of, Art. 1844

Jurisdiction, dismissal for lack, **Art. 2162**Prejudice, dismissal with or without, **Art.**1673

Transfer, dismissal for, **Art. 2162**Voluntary or involuntary, **Art. 1671, 1672** 

# DISQUALIFICATION OF OFFICER

Depositions, Art. 1454

#### DISSOLUTION OF PARTNERSHIP

Exceptions to general rules, Art. 79

#### DISTRICT COURT

Chambers, power to act in, **Art. 194, 195** Clerks

generally, Art. 281 et seq.

for detailed treatment see index heading CLERKS OF COURT

Judge, supreme court appointment, **Art.** 158

Power and authority

in chambers, power to act, Art. 194, 195

in vacation, power to act, **Art. 196** Sheriff as executive officer, **Art. 321** Substitution of parties, **Art. 821** Vacation, power to act in, **Art. 196** 

#### DISTRICT COURT CLERKS

Generally, Art. 281 et seq.

For detailed treatment see index heading CLERKS OF COURT

# DISTRICT JUDGE

Supreme court appointment, Art. 158

#### DIVESTITURE

Appellate courts, divesting of jurisdiction of trial court, **Art. 2088** 

#### DOCKETS

Clerks of court, Art. 254

#### **DOCUMENTS**

Clerks of court, documents to be filed with, Art. 253

# **DOING BUSINESS**

Exceptions to general rules, doing business in another parish, **Art. 77** 

#### DOMESTIC CORPORATIONS

Generally, Art. 690

#### DOMESTIC CORPORATIONS—Cont'd

For detailed treatment see index heading

#### DUCES TECUM SUBPOENA

Generally, Art. 1354, 1356

#### **DUPLICATES**

See index heading copies and copying

# ELECTRONIC FILING AND RECORDING

Clerks of court, Art. 258

#### **EMPLOYEE BENEFIT PROGRAMS**

Exceptions to general rules, Art. 84

# EMPLOYERS AND EMPLOYEES

Benefit programs, exceptions to general venue rules, **Art. 84** 

Retirement systems, exceptions to general venue rules, **Art. 84** 

Service of process and papers on clerical employees of physicians, Art. 1236

#### **ENFORCEMENT**

Implied right to enforce obligation, **Art.** 423

Transmission of action and right to enforce obligation, Art. 426

#### **ENTRY UPON LAND**

Generally, Art. 1461 to 1463

Sheriff, entry right for execution of instruments, Art. 325

#### **ENVIRONMENTAL LAW**

Limited admission of liability in environmental damage lawsuit, **Art. 1563** 

Pretrial procedure, environment management orders, **Art. 1552** 

#### **EVIDENCE**

Generally, Art. 1351 et seq.

Admissibility, Art. 1636

Amendment of pleadings to conform to evidence, **Art. 1154** 

Burden of proof. See index heading PRESUMPTIONS AND BURDEN OF PROOF

Declinatory exceptions, evidence on trial of, Art. 930

**Depositions** 

generally, Art. 1429 et seq.

for detailed treatment see index heading DEPOSITIONS

#### EVIDENCE—Cont'd

Dilatory exceptions, evidence on trial of, **Art. 930** 

Discovery

generally, Art. 1420 et seq.

for detailed treatment see index heading DISCOVERY

Exhibits. See index heading EXHIBITS

Expert witnesses. See index heading EXPERTS

Inadmissible evidence, Art. 1636

Jury room, evidence taken into, Art. 1794

Official records, proof of, Art. 1392

Peremptory exceptions, evidence on trial of, Art. 931

Presumptions. See index heading PRESUMP-TIONS AND BURDEN OF PROOF

Production of evidence, generally, **Art.** 1351 et seq.

Record or statement as to admissibility, Art. 1636

Review of evidence, request by jury, **Art.** 1795

Statutes, proof of, Art. 1392

Subpoenas

generally, Art. 1351 et seq.

for detailed treatment see index heading SUBPOENAS

Witnesses. See index heading witnesses

#### **EXAMINATIONS**

Physical and mental examination of persons, Art. 1464, 1465, 1465.1

# **EXCEPTIONS**

Objections. See index heading objections AND EXCEPTIONS

#### **EXCEPTIONS TO RULES**

Generally, Art. 71 et seq.

Adoption, marriage of persons related by, Art. 74.3

Change in domicile, action against individual, **Art. 71** 

Charter of corporation revoked by secretary of state, **Art. 85** 

Community property, partition, Art. 82

Contract, action on, Art. 76.1

Corporations

generally, Art. 85

charter of corporation revoked by secretary of state, Art. 85

domestic corporations, Art. 85

# EXCEPTIONS TO RULES—Cont'd Custody proceedings, Art. 74.2 Disavowal of filiation, Art. 74.1 Dissolution of partnership, Art. 79 Doing business in another parish, action against person, Art. 77 Domestic corporations, Art. 85 Employee benefit programs, Art. 84 Existing partnership, Art. 78 Filiation, Art. 74.1 Forum non conveniens, Art. 74.2 Immovable property, Art. 80 Insurance policy, action on, Art. 76 Joint obligors, Art. 73

Judgment, Art. 72 Judicial bond, action on, Art. 75 Marriage of persons, Art. 74.3, 74.3.1 Offense or quasi offense, Art. 74 Partition

community property, **Art. 82** partnership property, **Art. 83** Partners and partnership

dissolution of partnership, **Art. 79** existing partnership, **Art. 78** partition of partnership property, **Art.** 83

Property, Art. 72
Ouasi offense, Art. 74

Retirement systems, Art. 84

Revocation of corporate charter by secretary of state, Art. 85

Secretary of state, revocation of corporate charter by, Art. 85

Succession, Art. 81

Support proceedings, Art. 74.2

Trusts, action involving voting trusts, Art. 86

Venue

generally, **Art. 43, 71 et seq.** for detailed treatment see index heading venue

Voting trusts, action involving, **Art. 86**Wrongful conviction and imprisonment, application for compensation for, **Art. 87** 

# **EXECUTION OF INSTRUMENTS**

Constable, execution by, **Art. 332**Entry right for execution, **Art. 325**Holidays, execution of writs on, **Art. 323**Marshal, execution by, **Art. 332** 

# **EXECUTION OF INSTRUMENTS**

—Cont'd

Returns on execution of writs, **Art. 324** Sheriffs

constable, execution by, Art. 332 entry right for execution, Art. 325 holidays, execution of writs on, Art. 323

marshal, execution by, **Art. 332** returns on execution of writs, **Art. 324** writs, **Art. 321** 

Writs, Art. 321

#### **EXHIBITS**

Clerks of court, exhibits to be filed with, **Art. 253** 

Depositions, Art. 1446

Pleading, Art. 853

Service of copy of exhibit to pleading, Art. 1311

#### **EXISTING PARTNERSHIP**

Exceptions to general rules, Art. 78

#### **EX OFFICIO NOTARY**

District court clerks, Art. 287

#### EX PARTE MOTIONS

Pleading, Art. 963

# **EX PARTE ORDER**

Depositions, Art. 1430.1

#### **EXPENSES**

Generally, Art. 2164

For detailed treatment see index heading COSTS AND EXPENSES

#### **EXPERTS**

Appointment, **Art. 373**Contempt of court, punishment for neglect of duty, **Art. 375** 

Discovery, Art. 1425

Officers of court

appointment by court, **Art. 373** contempt of court, punishment for neglect of duty, **Art. 375** 

#### EXTENSION OF TIME

Appellate courts, notice of extension of return day granted by clerk of court, Art. 2125.1

Return day granted by clerk of court, notice of extension, Art. 2125.1

#### FEDERAL COURTS

Lis pendens, Art. 532

#### **FILIATION**

Exceptions to general rules, Art. 74.1

#### FINAL JUDGMENT

Generally, Art. 1841

For detailed treatment see index heading JUDGMENTS OR DECREES

#### FINANCIAL RECORDS

Depositions, Art. 1469.2

#### FINDINGS OF COURT

Generally, Art. 1917

#### **FINES**

Collection of fines by sheriff from persons found guilty of contempt of court, Art. 330

#### **FINGERPRINTING**

Contempt, Art. 222.1

#### FOREIGN CORPORATIONS

Generally, Art. 691

Insurance corporations, Art. 691

Service of process and papers, Art. 1261, 1262

#### **FOREIGN COURTS**

Lis pendens, Art. 532

## FOREIGN JURISDICTION

Deposition taken in, Art. 1435

#### **FORM**

Answer, Art. 1003

Citation, Art. 1202

Final judgment, Art. 1918

Motions, form of written motion, **Art. 962** 

Pleading. See index heading PLEADING Subpoenas, Art. 1351

# FORUM NON CONVENIENS

Change of venue

generally, Art. 123

city court, transfer to, Art. 124

City court, transfer to, Art. 124

Class actions, Art. 593.2

Exceptions to general rules, Art. 74.2

#### **FRAUD**

Pleading, Art. 856

#### **FRUITS**

Sheriff, seizure of fruits by, Art. 327

#### **GUARDIANSHIP**

Parties, mental incompetent as party, **Art. 684, 733** 

#### **HEARING-IMPAIRED PERSONS**

Interpreters for deaf and severely hearingimpaired persons, **Art. 192.1** 

## **HEIRS OR LEGATEES**

Obligor, action against heirs or legatees, Art. 427

#### **HOLIDAYS**

District court clerks, functions exercised on holidays, Art. 288

Execution of writs by sheriff on, Art. 323

#### **HUSBAND AND WIFE**

Absent spouse as party, **Art. 695, 743**Community property, partition, **Art. 82**Marriage. See index heading MARRIAGE
Mentally incompetent managing spouse, **Art. 695, 743** 

#### **Parties**

absent spouse as party, **Art. 695, 743** marital community, **Art. 686, 735** mentally incompetent managing spouse, **Art. 695, 743** 

#### **IDENTIFICATION**

Discovery, records of Louisiana Board of Criminal Identification and Information, Art. 1422.1

#### **ILLNESS**

Depositions, incapacitating illness, **Art.** 1430.1

#### IMMOVABLE PROPERTY

Appellate courts, description of affected by judgments or decrees, **Art. 2089**Venue, exceptions to general rules, **Art.** 

#### **IMMUNITY**

Officers of court, limitation of immunity, Art. 376

# IMPLIED RIGHT

Enforcement of obligation, Art. 423

#### **IMPRISONMENT**

Contempt, Art. 330

#### IMPRISONMENT—Cont'd

Judgments or decrees, sheriffs' returns on judgments executed, **Art. 324** 

Performance, power to punish for constructive contempt, **Art. 226** Sheriffs

contempt, imprisonment of persons found guilty, **Art. 330** 

judgments or decrees, sheriffs' returns on judgments executed, **Art. 324** 

Wrongful conviction and imprisonment, application for compensation for, Art. 87

#### INCARCERATED PERSONS

Service of process on, **Art. 1235.1** Testimony, **Art. 197** 

#### IN CHAMBERS

District court's power to act, Art. 194, 195

#### **INFANTS**

Parties, unemancipated minors as parties, Art. 683, 732

# IN REM JURISDICTION OVER PROPERTY

Generally, **Art. 8**Quasi in rem, **Art. 9** 

#### INSPECTION

Depositions, Art. 1446, 1473 Subpoenas, Art. 1356

# INSTRUCTIONS TO JURY

Generally, **Art. 1792, 1793**Additional instructions to jury, **Art. 1796**Discretion of court, **Art. 1792**Objections, **Art. 1793** 

#### **INSURANCE**

Generally, Art. 690, 739

Corporations

generally, Art. 690, 739

foreign insurance corporation as parties plaintiff, **Art. 691** 

Discovery, insurance agreements, Art. 1423

Foreign insurance corporation as parties plaintiff, **Art. 691** 

Jurisdiction over insurers. Art. 6

Parties

generally, Art. 690, 739

#### INSURANCE—Cont'd

Parties—Cont'd

defendant, insurer as, **Art. 739, 741** foreign insurance corporation as parties

plaintiff, Art. 691

plaintiff, insurer as, Art. 690, 691, 693

receivership, insurer in, Art. 693, 741

Venue, exceptions to general rules, action on insurance policy, **Art. 76** 

#### INTENT

Jury province, Art. 1797

#### INTERDICTION

Parties, mental incompetent as party, **Art. 684, 733** 

#### INTEREST IN SUBJECT MATTER

Declaratory judgments, interested parties may obtain declaration of rights, status, or other legal relations, **Art.** 1872, 1874

Real interest required of parties plaintiff, Art. 681

Substitution of parties, transfer of interest, Art. 807

#### INTEREST ON MONEY

Judgment, interest allowed by judgment, **Art. 1921** 

#### INTERLOCUTORY JUDGMENTS

Generally, Art. 1841, 1914

# INTERLOCUTORY ORDERS

Generally, Art. 1914

#### INTERPRETATION

See index heading construction and Interpretation

#### **INTERPRETERS**

Deaf and severely hearing-impaired persons, interpreters for, **Art. 192.1** 

Non-English speaking persons, interpreters for, **Art. 192.2** 

# **INTERROGATORIES**

Availability, Art. 1457

General verdict accompanied by answer to, Art. 1813

Procedure for use, Art. 1458

Scope, Art. 1459

Service, Art. 1474

Trial, use at, Art. 1459

#### INTERVENTION JUDGMENT NOTWITHSTANDING VERDICT Generally, Art. 1091 et seq. Acceptance of proceedings by intervener, Generally, Art. 1811 Art. 1094 JUDGMENT ON OFFER OF Citation unnecessary, Art. 1093 JUDGMENT Mortgage on seized property, third person Motion for, Art. 970 asserting, Art. 1092 JUDGMENT ON THE PLEADINGS Ownership of seized property, third person asserting, Art. 1092 Generally, Art. 965, 968, 969 Privilege on seized property, third person JUDGMENTS OR DECREES asserting, Art. 1092 Generally, Art. 1841 et seq. Service of petition, Art. 1093 Annulment of judgments. See "Nullity Third person may intervene, generally, action" under this index heading Art. 1091, 1092 Appealable, Art. 2083 Appellate courts JOINDER OF PARTIES generally, Art. 2083 Generally, Art. 641 et seq. court of appeal, finality of judgment by, Amendment of petition, Art. 646 Art. 2166 Cumulation of actions rules, permissive description of immovable property joinder governed by, Art. 647 affected by, Art. 2089 Feasibility, Art. 642 finality of judgment Nonjoinder, pleading, Art. 645 court of appeal, finality of judgment Permissive joinder governed by rules of by, Art. 2166 cumulation of actions, Art. 647 rehearing, Art. 2166, 2167 Petition, amendment, Art. 646 supreme court judgment, finality, Pleading nonjoinder, Art. 645 Art. 2167 Refusal to sue. Art. 644 rehearing, Art. 2166, 2167 Solidary obligees and obligors, Art. 643 stay of judgment court of appeal, Art. 2166 JOINT OBLIGORS rehearing, Art. 2166, 2167 Exceptions to general rules, venue, Art. supreme court, Art. 2167 73 supreme court judgment, finality, Art. 2167 JOINT TRIAL Class actions Common issues, Art. 1561 effect of judgment, Art. 597 **JUDGES** judgment, Art. 592, 597 Completion of trial, Art. 1637 Ad hoc judge. See index heading AD HOC Construction or interpretation generally, Art. 1881 Appointments, supreme court appointcontract, construction, Art. 1873 ment of district judge, Art. 158 declaratory judgments Comments on facts by judge prohibited, generally, Art. 1881 Art. 1791 District court clerk, powers exercised in for detailed treatment see index absence of judge, Art. 285 heading declaratory judgments uniformity of interpretation, Art. 1883 Duty judge exceptions, authority to hear certain matters, Art. 253.3 Contract, construction, Art. 1873 Costs, Art. 1920 Recusation of judges Court of appeal generally, Art. 151 et seq.

for detailed treatment see index heading recusation of JUDGES

finality of judgment by, Art. 2166

rehearing, Art. 2166

JUDGMENTS OR DECREES—Cont'd	JUDGMENTS OR DECREES—Cont'd
Court of appeal—Cont'd	Modification in trial court
stay of judgment, Art. 2166	generally, Art. 1951
Declaratory judgments generally, <b>Art. 1871 et seq.</b>	acquiescence, action lost through, <b>Art. 2003</b>
for detailed treatment see index head- ing DECLARATORY JUDGMENTS	affidavits, application for new trial,  Art. 1975
Default and default judgments generally, <b>Art. 1701 et seq., 1843</b>	annulment of judgments, generally,  Art. 2005
for detailed treatment see index heading DEFAULT AND DEFAULT JUDGMENTS	appeal, effect on annulment of judg- ments, <b>Art. 2005</b>
Delay for further action when notice required, <b>Art. 1914</b>	assignment of new trial, <b>Art. 1977</b> discretionary grounds, <b>Art. 1973</b>
Description of immovable property, <b>Art.</b> 1919, 2089	form, annulment for vices of, Art. 2002, 2003
Dismissal, effect of judgment, Art. 1844	· · · · · · · · · · · · · · · · · · ·
District court clerks, judgments signed by,	maximum delays, <b>Art. 1979</b> motion, summary decision on, <b>Art.</b>
Art. 283	1979
Effects of judgments on state law, <b>Art.</b> 1845	notice, service, Art. 1976
	peremptory grounds, Art. 1972
Exclusivity, powers enumerated not exclusive, <b>Art. 1875</b>	place where action brought, Art. 2006
Fact issues, Art. 1879	preemption of action, Art. 2004
Finality of judgment	procedure in new trial, Art. 1978
generally, Art. 1841	service of notice, Art. 1976
appeals, Art. 1911	substance, annulment for vices of, <b>Art.</b>
appellate courts	2004
court of appeal, finality of judgment	summary decision on motion, <b>Art. 1979</b>
by, <b>Art. 2166</b>	time, <b>Art. 2002</b>
rehearing, Art. 2166, 2167 supreme court judgment, finality,	verifying affidavit, application for new trial, <b>Art. 1975</b>
Art. 2167	Money judgments, Art. 1922
form, Art. 1918 partial final judgment, Art. 1911, 1915	Neglect of duty by sheriff, punishment for contempt, <b>Art. 334</b>
rehearing, <b>Art. 2166, 2167</b>	Notice
signing, Art. 1911	delay for further action when notice
supreme court judgment, Art. 2167	required, <b>Art. 1914</b>
Final judgment, Art. 1912	judgment, notice, Art. 1913
Findings of court, Art. 1917	Nullity action
Form of final judgment, Art. 1918	generally, <b>Art. 2001 et seq.</b>
Immovable property, judgment affecting, Art. 1919	acquiescence, action lost through, Art.
Independent provisions, Art. 1882	annulment of judgments, generally,
Interest allowed by judgment, Art. 1921	Art. 2005
Interested parties may obtain declaration of rights, status, or other legal rela-	appeal, effect on annulment of judgments, Art. 2005
tions, Art. 1872, 1874	form, annulment for vices of, <b>Art.</b>
Interlocutory judgments, Art. 1841, 1914	2002, 2003
Interlocutory order, Art. 1914	place where action brought, Art. 2006
Judgment debtor, Art. 1922	preemption of action, Art. 2004

JUDGMENTS OR DECREES—Cont'd	JUDGMENTS OR DECREES—Cont'd
Nullity action—Cont'd	Revival of judgments, Art. 2031
substance, annulment for vices of, Art.	Scope, declaratory judgments, Art. 1871
2004	Separate judgment, incidental actions,
time, Art. 2002	Art. 1038
Partial judgment, Art. 1911, 1915	Severable provisions, declaratory judg-
Parties, Art. 1880	ments, Art. 1882
Pleading, Art. 859	Sheriffs, returns on judgments executed,
Pleadings, judgment on. See index head-	Art. 324
ing Judgment on Pleadings	Signature
Powers enumerated not exclusive, <b>Art.</b>	generally, Art. 194
1875	final judgment, Art. 1911
Preclusion by judgment, Art. 425	jury trial, signature of judgment by
Pronouncement of judgment, Art. 1637	court, Art. 1916
Reasons for judgment, Art. 1917	Stay of judgment
Refusal by court, declaratory judgments, Art. 1876	appellate courts
	court of appeal, Art. 2166
Rehearing, finality of judgment, <b>Art.</b> 2166, 2167	rehearing, Art. 2166, 2167
Rendition	supreme court, Art. 2167
generally, <b>Art. 1911 et seq.</b>	court of appeal, Art. 2166
appeals, final judgment, Art. 1911	rehearing, Art. 2166, 2167
costs, Art. 1920	supreme court, Art. 2167
delay for further action when notice	Summary judgment
required, Art. 1914	generally, <b>Art. 966 to 969</b>
description of immovable property,	for detailed treatment see index head-
Art. 1919	ing summary judgment Supplemental relief, declaratory judg-
final judgment, Art. 1912	ments, Art. 1878
appeals, Art. 1911	Supreme court judgment, finality, <b>Art.</b>
form, <b>Art. 1918</b>	2167
signing, Art. 1911	Taxation of costs, Art. 1920
findings of court, Art. 1917	Uniformity of interpretation, declaratory
form of final judgment, Art. 1918	judgments, Art. 1883
immovable property, judgment affect-	Venue, exceptions to general rules, <b>Art.</b>
ing, Art. 1919	72
interest allowed by judgment, Art.	JUDICIAL BOND
1921	Exceptions to general rules, <b>Art. 75</b>
interlocutory order, Art. 1914	
jury cases, Art. 1916	JURISDICTION
liability of parties for costs, Art. 1920	Generally, Art. 1 et seq.
notice	Amount in dispute, <b>Art. 4</b>
delay for further action when notice	Appellate courts
required, Art. 1914	dismissal for lack, Art. 2162
judgment, notice, Art. 1913	divesting of jurisdiction of trial court,  Art. 2088
partial judgment, Art. 1911, 1915	
reasons for judgment, <b>Art. 1917</b>	Armed forces personnel, <b>Art. 11</b> Attachment, jurisdiction over property
signatures	Attachment, jurisdiction over property, Art. 9
court, signing of judgment by, <b>Art. 1916</b>	Consent, jurisdiction conferred by, <b>Art. 3</b>
	Definition of jurisdiction, <b>Art. 1</b>
final judgment, Art. 1911 taxation of costs, Art. 1920	Dismissal for lack, Art. 2162
tazation of costs, Alt. 1720	Distillissal for fack, Alt. 2102

JURISDICTION—Cont'd	JURY TRIAL—Cont'd
Divesting of jurisdiction of trial court,	Calling and examining jurors—Cont'd
Art. 2088	challenges—Cont'd
In rem jurisdiction over property	time for, <b>Art. 1766</b>
generally, Art. 8	excusing jurors after acceptance, Art.
quasi in rem, Art. 9	1767
Military personnel, Art. 11	foreman, selection, Art. 1768
Person, jurisdiction over	methods, Art. 1766
generally, Art. 6	peremptory challenges, Art. 1764
Property, jurisdiction over	procedure, Art. 1761
generally, Art. 8	selection of foreman, Art. 1768
attachment, Art. 9	swearing of jurors
quasi in rem, Art. 9	generally, Art. 1768
in rem	before examination, Art. 1762
generally, Art. 8	time for challenges, Art. 1766
quasi in rem, Art. 9	venire, <b>Art. 1734</b>
Quasi in rem jurisdiction over property,  Art. 9	Calling venire, Art. 1734
	Cash deposit, Art. 1734.1
Reduction of claim, <b>Art. 5</b> Status, jurisdiction over, <b>Art. 10</b>	Cause, challenges for, <b>Art. 1765</b>
	Challenges
Subject matter jurisdiction generally, <b>Art. 2 et seq.</b>	acceptance, challenging jurors after,
amount in dispute, Art. 4	Art. 1767
consent, jurisdiction conferred by, <b>Art.</b>	calling and examining jurors
3	acceptance, challenging jurors after,
reduction of claim, Art. 5	Art. 1767
value of right asserted, <b>Art. 4</b>	cause, challenges for, Art. 1765
Value of right asserted, <b>Art. 4</b>	methods, Art. 1766
	peremptory challenges, Art. 1764
JURY TRIAL	time for, <b>Art. 1766</b>
Generally, Art. 1731 et seq.	cause, challenges for cause, Art. 1765
Acceptance, challenging or excusing	methods, Art. 1766
jurors after, Art. 1767	peremptory challenges, Art. 1764
Additional instructions to jury, Art. 1796	time for, <b>Art. 1766</b>
Alternate jurors, <b>Art. 1769</b>	Charge to jury
Bond for costs	generally, Art. 1792
generally, <b>Art. 1733</b> fixing, <b>Art. 1734</b>	for detailed treatment see index head-
Calling and examining jurors	ing instructions to jury
generally, <b>Art. 1761 et seq.</b>	Comments on facts by judge prohibited,
acceptance, challenging or excusing	Art. 1791
jurors after, Art. 1767	Costs, bond for
alternate jurors, Art. 1769	generally, Art. 1733
cause, challenges for cause, <b>Art. 1765</b>	fixing, <b>Art. 1734</b>
challenges	Demand for jury trial, Art. 1733
acceptance, challenging jurors after,	Deposit in cash, Art. 1734.1
Art. 1767	Evidence
cause, challenges for cause, <b>Art.</b>	jury room, evidence taken into, <b>Art.</b>
1765	1794
methods, Art. 1766	review of evidence, request by jury,
peremptory challenges, Art. 1764	Art. 1795

# JURY TRIAL—Cont'd Examining jurors. See "Calling and examining jurors" under this index heading Excusing jurors after acceptance, Art. 1767 Exemptions of jurors, Art. 1751 Fixing bond for costs, Art. 1734 Foreman, selection, Art. 1768 Instructions to jury generally, Art. 1792, 1793 for detailed treatment see index heading instructions to jury Issues triable. Art. 1731 Judge's comments on facts prohibited, Art. 1791 Jury room, evidence taken into, Art. 1794 Less than all issues, trial of, Art. 1736 Limitation upon jury trial, Art. 1732 Methods, calling and examining jurors, Art. 1766 Number required for verdict, **Art. 1797** Objections to instructions to jury, Art. 1793 Peremptory challenges, Art. 1764 Procedure, generally, Art. 1791 et seq. Procedure for cash deposit, Art. 1734.1 Qualification of jurors, Art. 1751 Rendition of judgment, Art. 1916 Review of evidence, request by jury, Art. 1795 Selection foreman, Art. 1768 jury, Art. 1751 Specification of issues, Art. 1735 Stipulations, Art. 1736 Swearing of jurors generally, Art. 1768 before examination, Art. 1762 Time for challenges, calling and examining jurors, Art. 1766 Venire, calling, Art. 1734 Verdicts

# **JUSTICES**

Supreme court justice, recusation of judges, **Art. 159** 

generally, Art. 1810 et seq.

ing VERDICTS

for detailed treatment see index head-

#### KNOWLEDGE

See index heading NOTICE OR KNOWLEDGE

#### LEGAL REPRESENTATIVES

Appeal by, **Art. 2084**Appellate courts
appeal by, **Art. 2084**appointment **Art. 21** 

appointment, Art. 2122

removal, Art. 2122

Appointment, Art. 2122

Attorneys, generally, Art. 371

Authority of plaintiff suing in representative capacity, **Art. 700** 

Contempt of court, punishment for neglect of duty, Art. 375

Deposing attorney of record, Art. 1452

Derivative actions, Art. 612

Officer of court, generally, **Art. 371, 374**Pleading, attorney subject to disciplinary action, **Art. 864** 

Removal, Art. 2122

#### LIMITATIONS OR RESTRICTIONS

Appellate courts, limitations on appeals, Art. 2085

Depositions, limiting examination, **Art.** 1444

Officers of court, limitation of immunity, Art. 376

Subpoenas, Art. 1352

# LIMITED LIABILITY COMPANIES

Generally, Art. 690, 739

Foreign limited liability company, **Art. 691** 

Liquidation, Art. 692, 740

Receivership, Art. 692, 740

Secretary of state, service of process and papers, **Art. 1267** 

Service of process and papers, Art. 1266, 1267

#### LIQUIDATION

Corporation as party, **Art. 692, 740**Limited liability company as party, **Art. 692, 740** 

Partnership as party, Art. 692, 740

# LIS PENDENS

Generally, Art. 531, 532 Actions pending, Art. 531 Class actions, Art. 593.1 Federal courts, Art. 532

#### LIS PENDENS—Cont'd

Foreign courts, Art. 532

#### LOCAL RULES

Power to adopt, Art. 193

#### **LOCATION**

See index heading place or location

#### MAIL

Service of process and papers, **Art. 1313** Subpoenas, service by registered or certified mail, **Art. 1355.1** 

#### **MARRIAGE**

Adoption, marriage of persons related by, **Art. 74.3** 

Exceptions to general rules, **Art. 74.3**, **74.3.1** 

#### MARSHAL

Service of process by, Art. 332

#### MATURITY OF ACTION

Reconvention, maturity of action after pleading, Art. 1066

#### MEDICAL RECORDS

Depositions, Art. 1465, 1465.1, 1469.1

# MENTAL AND PHYSICAL EXAMINATION OF PERSONS Generally, Art. 1464, 1465, 1465.1

MENTAL CONDITION

Husband and wife, mentally incompetent managing spouse, Art. 695, 743

Mental examinations, Art. 1464, 1465, 1465.1

Parties. See index heading Parties Pleading, Art. 856

#### **MILITARY**

Jurisdiction, Art. 11

#### MINORS

Parties, unemancipated minors as parties, Art. 683, 732

#### MINUTE BOOKS

Clerks of court, Art. 254, 256

# MISTAKE OR ERROR

Appellate courts, assignment of errors, **Art. 2129** 

Assignment of errors, **Art. 2129** Pleading, **Art. 856** 

Index-32

#### MIXED ACTIONS

Generally, Art. 422

# **MODIFICATION**

Depositions, modification of procedures, Art. 1436

#### MORTGAGES

Intervention, third party asserting mortgage on seized property, **Art.** 1092

#### **MOTIONS**

Affidavits, summary judgment motion, Art. 967

Continuance, Art. 1603, 1605

Contradictory motions, Art. 963

Depositions. See index heading DEPOSITIONS

Ex parte motions, Art. 963

Filing of recusation motion, Art. 153

Form of written motion, Art. 962

Incidental actions, Art. 1034

Judgment on offer of judgment, motion for, **Art. 970** 

Judgment on the pleadings, Art. 965, 968, 969

New trial, summary decision on motion, **Art. 1979** 

Offer of judgment, motion for judgment on, Art. 970

# Pleadings

generally, Art. 961 et seq.

for detailed treatment see index heading PLEADINGS

Recusation of judges

filing of recusation motion, **Art. 153** selection of judge to try motion to

recuse, Art. 155, 156

sua sponte motion, Art. 152

Selection of judge to try motion to recuse, **Art. 155, 156** 

Show cause rule, Art. 963

Special motion to strike, Art. 971

Strike, motion to

generally, Art. 964

special motion to strike, Art. 971

Sua sponte motion, recusation of judges, Art. 152

Summary judgment motion, Art. 966 to 969

#### MOTIONS—Cont'd

Supreme court, recusation of judges, Art.

#### NAME

Trade name, persons doing business under as parties, **Art. 687, 736** 

# NARRATIVE OF FACTS

Appellate courts, record on appeal, Art. 2131

# NEGLECT

Clerks of court, punishment for contempt, Art. 257

Contempt, punishment for, Art. 334, 375 Officers of court neglect of duty, punishment for contempt of court, Art. 375 Sheriffs' neglect of duty, punishment for contempt, Art. 334

#### **NEW TRIAL**

Generally, Art. 1971 et seq.

Additur or remittitur as alternative to, Art. 1814

Affidavits, application for new trial, Art. 1975

Application

delay for applying for new trial, Art. 1974

verifying affidavit, Art. 1975

Assignment, Art. 1977

Delays

application for new trial, Art. 1974 maximum delays, Art. 1979

Discretionary grounds, Art. 1973

Maximum delays, Art. 1979

Motion, summary decision on, Art. 1979

Notice, service, Art. 1976

Peremptory grounds, Art. 1972

Procedure, Art. 1978, generally

Service of notice, Art. 1976

Summary decision on motion, Art. 1979

Verifying affidavit, application for new trial, Art. 1975

# **NOTARY**

District court clerks, Art. 287

# NOTICE OR KNOWLEDGE

Appellate courts, notice of extension of return day granted by clerk of court, Art. 2125.1

#### NOTICE OR KNOWLEDGE—Cont'd

Assignment of cases for trial, written request for notice of trial, Art. 1572

Depositions. See index heading DEPOSI-

Extension of return day granted by clerk of court, notice, Art. 2125.1

Judgment. See index heading JUDGMENTS OR DECREES

New trial, service of notice, Art. 1976

#### **NULLITY ACTION**

Generally, Art. 2001 et seq.

Acquiescence, action lost through, Art.

Annulment of judgments, generally, Art. 2005

Appeal, effect on annulment of judgments. Art. 2005

Form, annulment for vices of, Art. 2002, 2003

Place where action brought, Art. 2006 Preemption of action, Art. 2004 Substance, annulment for vices of, Art. 2004

Time, Art. 2002

# **OATH OR AFFIRMATION**

Generally, Art. 1633

Depositions, Art. 1443

Jurors, swearing of

generally, Art. 1768

before examination. Art. 1762

# OBJECTIONS AND EXCEPTIONS

Amendment of exceptions, Art. 1152

Assignment of errors, Art. 2129

Contempt, power to punish, Art. 222.1

Declinatory exceptions

evidence on trial of, Art. 930

objections raised by, Art. 925

sustaining declinatory exceptions,

effect of, Art. 932

Definition, Art. 921

Depositions. See index heading DEPOSI-TIONS

Dilatory exceptions

evidence on trial of, Art. 930

objections raised by, Art. 926

sustaining dilatory exceptions, effect of, Art. 933

Discovery, Art. 1420

# OBJECTIONS AND EXCEPTIONS —Cont'd

Evidence on trial of declinatory and dilatory exceptions, **Art. 930** 

Evidence on trial of peremptory exceptions, Art. 931

Form of exceptions, Art. 924

Functions of exceptions, Art. 923

Incidental actions, Art. 1034

Kinds of exceptions, Art. 922

Partial exception, Art. 1915

Peremptory exceptions

evidence on trial of, Art. 931

objections raised by, Art. 927

sustaining peremptory exceptions, effect of, Art. 934

#### Pleading

generally, Art. 921 et seq.

for detailed treatment see index heading PLEADING

Sheriffs, exercises civil functions only in own parish, **Art. 322** 

Sustaining declinatory exceptions, effect of, **Art. 932** 

Sustaining dilatory exceptions, effect of, Art. 933

Sustaining peremptory exceptions, effect of, Art. 934

#### Time

pleading exceptions, time of, **Art. 928** trial of exceptions, time of, **Art. 929** 

Unnecessary exceptions, Art. 1635

Venue, waiver of objection to, Art. 44

declinatory exception, objections raised by, Art. 925

dilatory exception, objections raised by, Art. 926

## **OFFENSES**

Exceptions to general rules, Art. 74

# OFFER OF JUDGMENT

Motion for judgment on, Art. 970

#### OFFICERS OF COURT

Generally, Art. 371 et seq.

Appointments, expert appointed by court, Art. 373

Attorneys

generally, Art. 371

#### OFFICERS OF COURT—Cont'd

Attorneys—Cont'd

as to attorneys in general, see index heading LEGAL REPRESENTATIVES

Clerks of court

generally, Art. 251 et seq.

for detailed treatment see index heading CLERKS OF COURT

Contempt of court, punishment for neglect of duty, Art. 375

Court reporter, Art. 372

Experts

appointment by court, **Art. 373** contempt of court, punishment for neglect of duty, **Art. 375** 

Legal representatives

generally, Art. 374

as to legal representatives in general see index heading LEGAL REPRESENTATIVES

Limitation of immunity, Art. 376

Neglect of duty, punishment for contempt of court, **Art. 375** 

Sheriffs

generally, Art. 321 et seq.

for detailed treatment see index heading sheriffs

## OFFICIAL DOCUMENT OR ACT

Pleading, Art. 858

Proof of. Art. 1392

#### **ORDERS**

Class actions, Art. 592

Continuance, Art. 1605

Depositions

generally, Art. 1431

for detailed treatment see index heading DEPOSITIONS

District court clerks, orders signed by, Art. 283

Power and authority as to signing, **Art.** 194

Pretrial procedure. See index heading PRETRIAL PROCEDURE

#### **ORGANIZATION**

Deposition of, Art. 1442

# **ORLEANS PARISH**

Clerks of court, Civil District Court for Orleans Parish, Art. 281

# **OWNERSHIP** Intervention, third person asserting ownership of seized property, Art. **OWN PARISH** Sheriff to exercise civil functions only in, Art. 322 **PARTIES** Generally, Art. 641 et seq. Absent spouse as party, Art. 695, 743 Actual interest required of parties plaintiff, Art. 681 Additional parties cross-claims, Art. 1073 reconvention, Art. 1064 Agent, parties plaintiff, **Art. 694** Amendment of petition, Art. 646 Assignor and assignee, parties plaintiff, Art. 698 Authority of plaintiff suing in representative capacity, Art. 700 Capacity authority or qualification of plaintiff suing in representative capacity, Art. 700 parties defendant, generally, Art. 731 parties plaintiff, generally, Art. 682 procedural capacity, Art. 682, 731 Children, unemancipated minors as parties, Art. 683, 732 Corporations generally, Art. 690 et seq., 739 et seq. foreign corporations, Art. 691 liquidation, corporation in liquidation as party, Art. 692, 740 receivership, corporation in receivership as party, **Art. 692, 740** Cumulation of actions rules, permissive joinder governed by, Art. 647 Declaratory judgments, Art. 1880 Doing business under trade name, Art.

687, 736

Art. 691

plaintiff, Art. 691

ties plaintiff, Art. 691

Feasibility, Art. 642

Foreign corporation as parties plaintiff,

Foreign insurance corporation as parties

Foreign limited liability company as par-

# Husband and wife absent spouse as party, Art. 695, 743 marital community, Art. 686, 735 mentally incompetent managing spouse, Art. 695, 743 Incidental demands, rules applicable, Art. Incompetent persons husband and wife, mentally incompetent managing spouse, Art. 695, 743 mental incompetent, Art. 684, 695, 733, 743 Insurance generally, Art. 690, 739 defendant, insurer as, Art. 739, 741 foreign insurance corporation as parties plaintiff, Art. 691 plaintiff, insurer as, Art. 690, 691, 693 receivership, insurer in, Art. 693, 741 Interdiction, mental incompetent as party, Art. 684, 733 Joinder of parties generally, Art. 641 et seq. for detailed treatment see index heading Joinder of Parties Limited liability companies generally, Art. 690, 739 foreign limited liability company, Art. receivership or liquidation, Art. 692, 740 Liquidation corporation in liquidation as party, Art. 692, 740 partnership in liquidation as party, Art. 692, 740 Marital community, Art. 686, 735 Mental incompetent husband and wife, mentally incompetent managing spouse, Art. 695, 743 parties, Art. 684, 695, 733, 743 Minors, unemancipated minors as parties, Art. 683, 732 Multiple parties citation to legal representative of, Art. 1203

cumulation of actions, Art. 463

PARTIES—Cont'd

#### PARTNERS AND PARTNERSHIPS PARTIES—Cont'd Parties defendant, generally, Art. 731 et Dissolution of partnership, Art. 79 Exceptions to general rules Parties plaintiff, generally, Art. 681 et dissolution of partnership, Art. 79 seq. existing partnership, Art. 78 Partners and partnerships partition of partnership property, Art. generally, Art. 688, 737 receivership or liquidation, Art. 692, Existing partnership, Art. 78 Liquidation, Art. 692, 740 Permissive joinder governed by rules of **Parties** cumulation of actions, Art. 647 generally, Art. 688, 737 Petition, amendment, Art. 646 receivership or liquidation, Art. 692, Pleading nonjoinder, Art. 645 Pledgor and pledgee, parties plaintiff, Partition of partnership property, Art. 83 Art. 696 Receivership, Art. 692, 740 Procedural capacity, Art. 731 Service of process and papers, Art. 1263 Qualification of plaintiff suing in repre-Venue sentative capacity, Art. 700 dissolution of partnership, Art. 79 Real interest required of parties plaintiff, exceptions to general rules Art. 681 dissolution of partnership, Art. 79 Receivership existing partnership, Art. 78 corporation in receivership, Art. 692, partition of partnership property, Art. 83 insurer in receivership, Art. 693, 741 existing partnership, Art. 78 partnership in receivership, Art. 692, partition of partnership property, Art. 740 Refusal to sue. Art. 644 Representative capacity, authority or qual-**PAYMENTS** ification of plaintiff suing in, Art. Appellate courts, payment of costs, Art. 2126 Subrogor and subrogee, parties plaintiff, Art. 697 PEREMPTORY GROUNDS Substitution of parties Appellate court, peremptory exception generally, Art. 801 et seq. filed in. **Art. 2163** for detailed treatment see index head-Continuance, Art. 1602 ing substitution of parties Filed in appellate court, Art. 2163 Succession New trial. **Art. 1972** generally, Art. 685, 734 **PERFORMANCE** substitution of parties, Art. 801, 804, Constructive contempt, imprisonment 805 until performance, Art. 226 Trade name, persons doing business under, Art. 687, 736 Contempt, Art. 226 Trust estate, Art. 699, 742 Power and authority, Art. 226 Unemancipated minors as parties, Art. PERPETUATION OF TESTIMONY 683, 732 Depositions, Art. 1429 to 1431 Unincorporated associations, Art. 689, 738 **PETITIONS PARTITION** Alternative causes of action, Art. 892 Community property, venue, Art. 82 Amendment of petition, Art. 1151

Damages, pleading, Art. 893

Depositions, Art. 1429, 1430

Exceptions to general rules, Art. 82, 83

Partnership property, venue, Art. 83

#### PETITIONS—Cont'd PLEADING—Cont'd Construction of pleadings, Art. 865 Derivative actions, petition in shareholder's derivative action, Art. Contradictory motions, Art. 963 615 Cross-claims Form, Art. 891, 1032 generally, Art. 1071 et seq. Incidental actions, Art. 1032, 1093, 1151 for detailed treatment see index heading cross-claims **PHOTOGRAPHING** Damages Contempt, Art. 222.1 petition, Art. 893 PHYSICAL AND MENTAL special damage, Art. 861 **EXAMINATION OF PERSONS** Declinatory exceptions Generally, Art. 1464, 1465, 1465.1 evidence on trial of, Art. 930 objections raised by, Art. 925 **PHYSICIANS** sustaining declinatory exceptions, Depositions, report of examining physieffect of, Art. 932 cian, Art. 1465 **Definitions** Service of process and papers on clerical "defendant" as including defendant in employees of physicians, Art. 1236 incidental action, Art. 1040 PLACE OR LOCATION exceptions, Art. 921 Depositions, Art. 1438 "plaintiff" as including plaintiff in Pleading, Art. 860 incidental action, Art. 1040 Service of process and papers, place Delay where service made, Art. 1233 answer, delay for answering, Art. 1001 incidental demand, Art. 1033 PLEADING Dilatory exceptions Generally, Art. 851 et seq. evidence on trial of, Art. 930 Action instituted separately, incidental actions, Art. 1037 objections raised by, Art. 926 Adoption by reference, Art. 853 sustaining dilatory exceptions, effect of, Art. 933 Affidavits, summary judgment motion, Art. 967 Disciplinary action, attorney subject to, Allowed pleadings, Art. 852 Art. 864 Dismissal of principal action, incidental Amended pleadings actions, Art. 1039 generally, Art. 1151 et seq. Evidence on trial of declinatory and dilafor detailed treatment see index headtory exceptions, Art. 930 ing AMENDED PLEADINGS Evidence on trial of peremptory exceptions, Art. 931 generally, Art. 1001 et seq. Exceptions for detailed treatment see index headgenerally, Art. 921 et seq. ing ANSWER declinatory exceptions Appellate courts, prescription pleaded, evidence on trial of, Art. 930 Art. 2163 objections raised by, Art. 925 Attorney subject to disciplinary action, Art. 864 sustaining declinatory exceptions, Capacity, Art. 855 effect of, Art. 932 Caption of pleadings, Art. 853 definition, Art. 921 Citation dilatory exceptions generally, Art. 1201 et seq. evidence on trial of, Art. 930 for detailed treatment see index headobjections raised by, Art. 926 ing CITATION sustaining dilatory exceptions, effect Clerks of court, Art. 253, 253.1 of, Art. 933

PLEADING—Cont'd	PLEADING—Cont'd
Exceptions—Cont'd	Intervention
evidence on trial of declinatory and	generally, Art. 1091 et seq.
dilatory exceptions, Art. 930	for detailed treatment see index head-
evidence on trial of peremptory excep-	ing intervention
tions, Art. 931	Judgment on offer of judgment, motion
form of exceptions, Art. 924	for, <b>Art. 970</b>
functions of exceptions, Art. 923	Judgment on the pleadings, motion for,
incidental actions, Art. 1034	Art. 965, 968, 969
kinds of exceptions, Art. 922	Judgment or decision, Art. 859 Jurisdiction, incidental actions, Art. 1036
peremptory exceptions	Mental condition, Art. 856
evidence on trial of, Art. 931	Mistake, <b>Art. 856</b>
objections raised by, <b>Art. 927</b> sustaining peremptory exceptions,	Motions
effect of, Art. 934	generally, <b>Art. 961 et seq.</b>
sustaining declinatory exceptions,	affidavits, summary judgment motion,
effect of, Art. 932	Art. 967
sustaining dilatory exceptions, effect	contradictory motions, Art. 963
of, <b>Art. 933</b>	ex parte motions, Art. 963
sustaining peremptory exceptions,	form of written motion, Art. 962
effect of, Art. 934	incidental actions, Art. 1034
time	judgment on offer of judgment, motion
pleading exceptions, time of, <b>Art.</b>	for, Art. 970
928	judgment on the pleadings, <b>Art. 965</b> , <b>968</b> , <b>969</b>
trial of exceptions, time of, Art. 929	offer of judgment, motion for judgment
trial of exceptions, time of, <b>Art. 929</b> waiver	on, Art. 970
	requirement of written motion, Art.
declinatory exception, objections raised by, <b>Art. 925</b>	961
dilatory exception, objections raised	show cause rule, Art. 963
by, Art. 926	special motion to strike, Art. 971
Exhibits, Art. 853	strike, motion to
Ex parte motions, Art. 963	generally, Art. 964
Form	special motion to strike, Art. 971
generally, Art. 854	summary judgment motion, Art. 966 to
answer, <b>Art. 1003</b>	969
exceptions, Art. 924	written motions, generally, <b>Art. 961 et</b>
petition, <b>Art. 891, 1032</b>	Seq.
written motion, Art. 962	Nonjoinder of parties, <b>Art. 645</b> Objections and exceptions. See "Excep-
Fraud, <b>Art. 856</b>	tions" under this index heading
Functions of exceptions, <b>Art. 923</b>	generally, <b>Art. 921 et seq.</b>
General dispositions, generally, <b>Art. 851</b>	Offer of judgment, motion for judgment
et seq.	on, Art. 970
Incidental actions	Official document or act, Art. 858
generally, Art. 1031 et seq.	Peremptory exceptions
cross-claims, <b>Art. 1071 to 1073</b>	evidence on trial of, Art. 931
intervention, Art. 1091 et seq.	objections raised by, Art. 927
reconvention, Art. 1061 et seq.	sustaining peremptory exceptions,
third part, demand against, <b>Art. 1111 et</b>	effect of, Art. 934
seq.	Petition. See index heading PETITION

PLEADING—Cont'd	PLEADING—Cont'd		
Place, Art. 860	Third parties, service of pleadings, <b>Art.</b>		
Pleadings for unconstitutionality of state	1114		
law, Art. 855.1	Third party demand is not barred,		
Prayer for relief, sufficiency of, <b>Art. 862</b> Prescribed incidental or third party	prescribed, <b>Art. 1041</b> Time		
demand is not barred, <b>Art. 1041</b>	pleading exceptions, time of, <b>Art. 928</b>		
Prescription pleaded, Art. 2163	pleading exceptions, time of, Art. 928 pleading special matters, Art. 860		
Prohibited pleadings, <b>Art. 852</b>	trial of exceptions, time of, <b>Art. 929</b>		
Reconvention	Trial of exceptions, time of, <b>Art. 929</b>		
generally, Art. 1061 et seq.	Waiver		
for detailed treatment see index head-	declinatory exception, objections raised		
ing reconvention	by, <b>Art. 925</b>		
Relief granted under pleadings, <b>Art. 862</b>	dilatory exception, objections raised by,		
Replicatory pleadings prohibited, <b>Art.</b> 852	Art. 926		
Separate judgment, incidental actions,	PLEDGOR AND PLEDGEE		
Art. 1038	Parties plaintiff, Art. 696		
Separate trial, incidental actions, Art. 1038	POLITICAL ENTITY		
Service of pleadings	Confirmation of default judgment in suits		
generally, Art. 1311 et seq.	against political subdivision, <b>Art.</b>		
for detailed treatment see index head-	Service of process and papers, <b>Art. 1265</b>		
ing service of process and papers			
Show cause rule, Art. 963	POWER AND AUTHORITY		
Signing of pleadings, <b>Art. 863</b> Special matters	Generally, Art. 191 et seq.		
generally, Art. 855 et seq.	Appointment of expert witnesses, <b>Art.</b>		
capacity, Art. 855	192, 192.1		
condition of the mind, <b>Art. 856</b>	Clerks of court, powers of district court clerks, <b>Art. 284 et seq.</b>		
damage, special damage, Art. 861	Constructive contempt		
fraud, <b>Art. 856</b>	generally, <b>Art. 224 et seq.</b>		
judgment or decision, Art. 859	imprisonment until performance, <b>Art.</b>		
mistake, Art. 856	226		
motion to strike, Art. 971	performance, imprisonment until, Art.		
official document or act, Art. 858	226		
place, <b>Art. 860</b>	power to punish		
suspensive conditions, Art. 857	generally, Art. 224 et seq.		
time, Art. 860	imprisonment until performance, Art. 226		
Strike, motion to	performance, imprisonment until,		
generally, Art. 964	Art. 226		
special motion to strike, <b>Art. 971</b>	procedure for punishing, Art. 225		
Summary judgment motion, <b>Art. 966 to 969</b>	procedure for punishing, Art. 225		
Supplemental pleadings, Art. 1155, 1156	Contempt, power to punish for		
Suspensive conditions, Art. 857	generally, Art. 221 et seq.		
Sustaining declinatory exceptions, effect	constructive contempt		
of, Art. 932	generally, Art. 224 et seq.		
Sustaining peremptory exceptions, effect	imprisonment until performance,		

#### POWER AND AUTHORITY—Cont'd

Contempt, power to punish for—Cont'd constructive contempt—Cont'd performance, imprisonment until,

Art. 226

procedure for punishing, Art. 225 direct contempt, Art. 222 et seq. exceptions, Art. 222.1

fingerprinting, Art. 222.1

imprisonment until performance, Art. 226

performance, imprisonment until, **Art.** 226

photographing, Art. 222.1

procedure for punishing, Art. 223, 225

Costs and expenses, appointment of expert witnesses, Art. 192

Deaf and severely hearing-impaired persons, interpreters for, Art. 192.1

Direct contempt, power to punish for, **Art. 222 et seq.** 

District court

in chambers, power to act, Art. 194, 195

in vacation, power to act, **Art. 196** Exceptions, power to punish for contempt, **Art. 222.1** 

Expert witnesses, appointment, Art. 192, 192.1

Fingerprinting, power to punish for contempt, **Art. 222.1** 

Imprisonment until performance, power to punish for constructive contempt, Art. 226

In chambers, power of district court to act, Art. 194, 195

Inherent judicial power, **Art. 191**Inmates, testimony, **Art. 197**Interpreters

deaf and severely hearing-impaired persons, **Art. 192.1** 

non-English speaking persons, **Art.** 192.2

Judgments, signing, Art. 194

Local rules, power to adopt, **Art. 193** Orders, signing, **Art. 194** 

Performance, imprisonment until, **Art.** 226

Photographing, power to punish for contempt, **Art. 222.1** 

## POWER AND AUTHORITY—Cont'd

Procedure for punishing contempt, **Art.** 223, 225

Publication, Art. 193

Representative capacity, qualification of plaintiff suing in, Art. 700

Sheriffs, administration of property under seizure, Art. 328, 329

Signing orders and judgments, Art. 194

Trial, power of court over proceedings, Art. 1631

Vacation, power of district court to act in, Art. 196

#### PRAYER FOR RELIEF

Sufficiency of, Art. 862

## **PRECLUSION**

Judgment, preclusion by, Art. 425

## **PREFERENCE**

Assignment of cases for trial, **Art. 1573** 

#### **PREJUDICE**

Dismissal with or without prejudice, **Art.** 1673

## **PREMATURITY**

Generally, Art. 423

#### **PREPARATION**

Appellate courts

record on appeal, Art. 2127, 2127.2 transcript of record on appeal, Art. 2127.2

Record on appeal, Art. 2127, 2127.2 Transcript of record on appeal, Art. 2127.2

## **PREPAYMENT**

Subpoenas, prepayment of fees, Art. 1353

## PRESCRIPTION

Class actions, Art. 596 Remand, Art. 2163

## **PRESENCE**

See index heading ABSENCE OR PRESENCE

## **PRESERVATION**

Disbursements for preservation of seized property, Art. 326, 329
Seized property, Art. 326, 329

## PRETRIAL PROCEDURE

Conference, order, Art. 1551

## PRETRIAL PROCEDURE—Cont'd

Environment management orders, **Art.** 1552

#### **PRIVILEGE**

Intervention, third person asserting privilege on seized property, Art. 1092

# PRODUCTION OF DOCUMENTS AND THINGS

Generally, Art. 1441, 1461 to 1463

## **PROPERTY**

Community property, **Art. 82**Description of immovable property, appellate procedure, **Art. 1919, 2089**Exceptions to general rules, **Art. 72**Jurisdiction over

generally, Art. 8

attachment, Art. 9 quasi in rem, Art. 9

in rem

generally, **Art. 8** quasi in rem, **Art. 9** 

Partition. See index heading PARTITION Venue generally, **Art. 72** 

## **PROTECTION**

Discovery, Art. 1426 Seized property, Art. 326, 329

## **PUBLICATION**

Court's power and authority, Art. 193
Substitution for deceased party, publication of summons, Art. 803

## **PUBLIC OFFICERS**

Service of process and papers, **Art. 1265** Substitution of parties, **Art. 806** 

## **PUNISHMENT**

Clerks of court, contempt of court as punishment for refusal to perform duty, **Art. 257** 

Collection of fines by sheriff from persons found guilty of contempt of court, Art. 330

Contempt of court

generally, Art. 221 et seq.

clerks of court, contempt of court as punishment for refusal to perform duty, Art. 257

#### PUNISHMENT—Cont'd

Contempt of court—Cont'd officers of court, contempt of court as punishment for refusal to perform duty, **Art. 375** 

sheriffs, contempt of court as punishment for neglect of duty, Art. 334

Depositions, failure to comply with order compelling discovery, Art. 1471

Imprisonment. See index heading IMPRISONMENT

Officers of court, contempt of court as punishment for refusal to perform duty, **Art. 375** 

Sheriffs

collection of fines by sheriff from persons found guilty of contempt of court, Art. 330

neglect of duty, contempt of court as punishment for, **Art. 334** 

# QUALIFICATION OR DISQUALIFICATION

Representative capacity, qualification of plaintiff suing in, **Art. 700** 

## **QUASI IN REM**

Property, jurisdiction over, Art. 9

## **OUASI OFFENSE**

Exceptions to general rules, **Art. 74** Venue, **Art. 74** 

## RANDOM ASSIGNMENT OF CASES

Clerks of court, Art. 253.1

## **REAL ACTIONS**

Generally, Art. 422

## RECEIVERS AND RECEIVERSHIP

Corporation in receivership as party, **Art. 692, 740** 

Insurers, Art. 693, 741

Limited liability companies, Art. 692,

Partners and partnerships, Art. 692, 740

## RECONVENTION

Generally, **Art. 1061 et seq.**Acquisition of action after pleading, **Art.**1066

Actions pleaded in reconventional demand, generally, Art. 1061

Additional parties, Art. 1064

Citation unnecessary, Art. 1063

#### RECONVENTION—Cont'd

Compensation, pleading, Art. 1062 Compulsory, actions pleaded in reconventional demand, Art. 1061 Exceeding principal demand, Art. 1065 Maturity of action after pleading, **Art.** 1066

Principal demand, reconventional demand exceeding, Art. 1065

Service of reconventional demand, Art.

Third party, defendant in reconvention may bring in third party, Art. 1112

## RECORD ON APPEAL

Generally, Art. 2127 Certified record on appeal, Art. 2127.1 Contempt, **Art. 2127.3** Content, determination, Art. 2128 Correction, Art. 2132 Dated, Art. 2127.1 Delivery of transcript, Art. 2127.2 Narrative of facts, Art. 2131 Preparation generally, Art. 2127 transcript, Art. 2127.2 Statement of facts, Art. 2130 Transcript, preparation, Art. 2127.2

## RECORDS AND RECORDINGS

Appeal, record on

generally, Art. 2127

for detailed treatment see index heading record on appeal

Clerks of court. See index heading CLERKS OF COURT

Depositions

option to produce business records, Art. 1460

record of examination. Art. 1443

Discovery

Criminal Identification and Information, Records of Louisiana Board of. Art. 1422.1

depositions. See "Depositions" under this index heading

Financial record. See index heading FINANCIAL RECORD

Recusation motions, filing, Art. 153

## **RECUSATION OF JUDGES**

Generally, Art. 151 et seq.

## RECUSATION OF JUDGES—Cont'd

Ad hoc judge

generally, Art. 161

appointment of judge, Art. 157

Appointment

ad hoc judge, power, Art. 157

supreme court appointment of district judge, Art. 158

Court of appeal judge, Art. 160

District judge, supreme court appointment, Art. 158

Filing of recusation motion, Art. 153

Grounds, Art. 151 Justice, supreme court, Art. 159

Motions

filing of recusation motion. Art. 153 selection of judge to try motion to recuse, Art. 155, 156

sua sponte motion, Art. 152

Procedure for recusation, Art. 154

Selection of judge to try motion to recuse, Art. 155, 156

Sua sponte motion, Art. 152

Supreme court

appointment of district judge, Art. 158

justice, Art. 159

motion, Art. 152

## REDUCTION OR DECREASE

Subject matter jurisdiction, reduction of claim, Art. 5

## REFORMATION OF VERDICT

Generally, Art. 1814

## REFUSAL

See index heading DENIAL OR REFUSAL

## **REGISTERED MAIL**

Subpoenas, service by, Art. 1355.1

## REHEARING

Appellate courts. See index heading APPELLATE COURTS

Court of appeal, finality of judgment by, Art. 2166

Finality of judgment, Art. 2166, 2167

Judgments, Art. 2166, 2167

Stay of judgment, Art. 2166, 2167

Supreme court judgment, finality, Art. 2167

## REISSUANCE OF SUBPOENA

Generally, Art. 1355.1

#### RELATION BACK

Amendment of pleadings, Art. 1153

## RELEASE

Depositions, requests for release of medical records, **Art. 1465.1** 

## **REMAND**

Appellate courts, prescription pleaded, Art. 2163

## REMITTITUR

New trial, remittitur as alternative to, **Art.** 1814

## REMOVAL

Appellate courts, removal of legal representative, **Art. 2122** 

#### RENTS

Seizure of rents by sheriff, Art. 327

## REPLICATORY PLEADINGS

Prohibition, Art. 852

#### REPORTS

Depositions, report of examining physician, Art. 1465

## RESTRICTIONS

See index heading Limitations or restrictions

#### RETIREMENT SYSTEMS

Venue, exceptions to general rules, **Art. 84** 

## **RETURN DAY**

Generally, Art. 2125

Appellate courts

generally, Art. 2125

notice of extension of return day granted by clerk of court, **Art.** 2125.1

Notice of extension of return day granted by clerk of court, **Art. 2125.1** 

## **RETURNS**

Deposition, Art. 1456

Sheriff

execution of writs, Art. 324 service, Art. 1292

## REVENUE

Sheriffs, revenue of property under seizure, **Art. 327** 

#### **REVIEW**

Generally, Art. 2081 et seq.

For detailed treatment see index heading

## REVIVAL OF JUDGMENTS

Generally, Art. 2031

## **SANCTIONS**

See index heading PUNISHMENT

## SECRETARY OF STATE

Corporate charter, revocation by secretary of state, **Art. 85** 

Service of process and papers, Art. 1262, 1267

## **SECURITY**

Appellate courts, security furnished for appeal, **Art. 2124** 

Class actions, security for costs, Art. 595

## **SEIZURE**

Administration of property under seizure, power, **Art. 328, 329** 

Disbursements for protection, preservation, and administration of seized property, **Art. 329** 

Fruits, seizure, Art. 327

Protection and preservation of seized property, Art. 326, 329

Rents, seizure, Art. 327

Revenue of property under, **Art. 327** Sheriffs

administration of property under seizure, power, Art. 328, 329

disbursements for protection, preservation, and administration of seized property, **Art. 329** 

fruits, seizure, Art. 327

protection and preservation of seized property, Art. 326, 329

rents, seizure, Art. 327

revenue of property under, Art. 327

## **SELECTION**

Recusal motion selection of judge to try, **Art. 155, 156** 

## SEPARATE TRIAL OR ACTION

Cumulation of actions, Art. 465

Incidental actions, Art. 1038

Liability and damages issues, Art. 1562

SERVICE OF PROCESS AND PAPERS	SERVICE OF PROCESS AND PAPERS
Generally, Art. 1231 et seq.	—Cont'd
Clerical employees of physicians, Art.	Pleadings—Cont'd
1236	exhibits, service of copy of exhibit to
Clerks of court, issuance of process by,	pleading, Art. 1311
Art. 252	mail, service by, Art. 1313
Constable, service by, Art. 332	sheriff, service by, Art. 1314
Corporations, <b>Art. 1261, 1262</b>	subsequent pleadings to petition, Art.
Cross-claims, Art. 1072	1312 to 1314
Delivery, service by, <b>Art. 1313</b>	Political entities, Art. 1265
Depositions. See index heading DEPOSITIONS	Private person, persons entitled to make service, <b>Art. 1293</b>
Domiciliary service, Art. 1234	Public officers, Art. 1265
Exhibits, service of copy of exhibit to pleading, <b>Art. 1311</b>	Quasi legal entities, service on. See "Legal and quasi legal entities, ser-
Foreign corporations, <b>Art. 1261, 1262</b>	vice on" under this index heading
Incarcerated person, service on, <b>Art.</b>	Representative, service on, Art. 1235
1235.1	Returns on, Art. 324
Intervention, service of petition, <b>Art.</b>	Secretary of state
1093	corporations, Art. 1262
Legal and quasi legal entities, service on	limited liability companies, Art. 1267
generally, Art. 1261 et seq.	Service of reconventional demand, <b>Art.</b>
corporations, <b>Art. 1261, 1262</b>	1063
foreign corporations, Art. 1261, 1262	Sheriffs
	generally, Art. 321
limited liability company, Art. 1266,	constable, service by, Art. 332
	marshal, service by, Art. 332
partnership, Art. 1263	pleadings, service by, Art. 1314
political entity, Art. 1265	return, <b>Art. 1292</b>
public officer, Art. 1265	returns on, Art. 324
secretary of state, Art. 1262	service by, Art. 1291
unincorporated association, Art. 1264	Subpoenas, Art. 1355, 1355.1
Limited liability companies, Art. 1266,	Subsequent pleadings to petition, <b>Art.</b>
1267	1312 to 1314
Mail, service by, Art. 1313	Substitution for deceased party, service of
Marshal, service by, Art. 332	summons, Art. 803
Multiple capacities, service on individual in, <b>Art. 1237</b>	Third parties, service of citation and pleadings, <b>Art. 1114</b>
New trial, service of notice, Art. 1976	Time of making, Art. 1231
Partnerships, Art. 1263	Types of service, Art. 1231
Personal service, Art. 1232, 1233	Unincorporated associations, <b>Art. 1264</b>
Persons, service on, generally, Art. 1231	e mineorporated associations, rate 1201
et seq.	SHERIFFS
Persons entitled to make service, Art.	Generally, Art. 321 et seq.
1291 to 1293	Administration by sheriff of seized prop-
Physicians, service on clerical employees	erty
of, <b>Art. 1236</b>	disbursements for, Art. 329
Place where service made, Art. 1233	power of sheriffs, Art. 328, 329
Pleadings	Collection of fines from persons found
generally, Art. 1311 et seq.	guilty of contempt of court, <b>Art. 330</b>
delivery service by Art 1313	Constable service of process by Art 332

SHERIFFS—Cont'd	SHERIFFS—Cont'd
Contempt	Rents, seizure, Art. 327
collection of fines from persons found	Returns on service of process, <b>Art. 324</b>
guilty of contempt of court, <b>Art.</b> 330	Revenue of property under seizure, <b>Art.</b> 327
imprisonment of persons found guilty,	Seizure
Art. 330	administration of property under
neglect of duty, punishment for, Art.	seizure, power, <b>Art. 328, 329</b> disbursements for protection, preserva-
punishment for neglect of duty, Art. 334	tion, and administration of seized property, <b>Art. 329</b>
Crier, Art. 333	fruits, seizure, Art. 327
Deputy sheriff	protection and preservation of seized
generally, Art. 331	property, <b>Art. 326, 329</b>
punishment for contempt for neglect of	rents, seizure, Art. 327
duty, Art. 334	revenue of property under, Art. 327
Disbursements for protection, preserva- tion, and administration of seized	Service of process and papers
property, Art. 329	generally, <b>Art. 321, 1291</b>
District court, executive officer, Art. 321	constable, service by, Art. 332
Entry right for execution, <b>Art. 325</b>	marshal, service by, Art. 332
Exceptions, exercises civil functions only	pleadings, service by, Art. 1314
in own parish, Art. 322	return, <b>Art. 324, 1292</b> Writs, <b>Art. 321</b>
Execution of instruments	,
constable, execution by, Art. 332	SHOW CAUSE RULE
entry right for execution, Art. 325	Generally, Art. 963
holidays, execution of writs on, <b>Art.</b>	SIGNATURES
marshal, execution by, Art. 332	Depositions, <b>Art. 1445</b> Discovery, signing of discovery requests,
returns on execution of writs, <b>Art. 324</b>	responses, or objections, <b>Art. 1420</b>
writs, <b>Art. 321</b>	District court clerks, signature on orders
Fines, collection of fines from persons	and judgments, Art. 283
found guilty of contempt of court,	Judgments or decrees, signing, Art. 283
Art. 330	Orders, district court clerk signature on,
Fruits, seizure, Art. 327	Art. 283
Holidays, writs executed on, Art. 323	Pleadings, Art. 863
Imprisonment of persons found guilty of	SINGLE PARTY
contempt of court, Art. 330	Cumulation of actions, <b>Art. 462</b>
Judgments executed, returns on, Art. 324	
Marshal, service of process by, Art. 332	STATEMENT OF FACTS
Neglect of duty, punishment for contempt, Art. 334	Appellate courts, record on appeal, <b>Art.</b> 2130
Officers of court, Art. 321 et seq.	STATUS
Own parish, exercises civil functions only in, <b>Art. 322</b>	Jurisdiction over, Art. 10
Power of sheriffs as to administration of	STATUTES
seized property, Art. 328, 329	Proof of, <b>Art. 1392</b>
Preservation of seized property, Art. 326,	amitt on pragotine
320	STAY OF DISCOVERY
329 Protection of saized property Art 326	Criminal matter, stay of discovery in civil
329 Protection of seized property, Art. 326, 329	

## STAY OF JUDGMENT

Appellate courts court of appeal, Art. 2166 rehearing, Art. 2166, 2167 supreme court, Art. 2167 Court of appeal, Art. 2166 Rehearing, Art. 2166, 2167 Supreme court, Art. 2167

## **STIPULATIONS**

Depositions, Art. 1436

## STRIKE, MOTION TO

Generally, **Art. 964**Special motion to strike, **Art. 971** 

## **SUA SPONTE MOTION**

Recusation of judges, Art. 152

## SUBJECT MATTER JURISDICTION

Generally, **Art. 2 et seq.**Amount in dispute, **Art. 4**Consent, jurisdiction conferred by, **Art. 3**Reduction of claim, **Art. 5**Value of right asserted, **Art. 4** 

## SUBPOENA DUCES TECUM

Generally, Art. 1354, 1356, 1438

## **SUBPOENAS**

Generally, Art. 1351 et seq.
Certified mail, service by, Art. 1355.1
Depositions, Art. 1356, 1438
Duces tecum subpoena, Art. 1354, 1356, 1438
Failure to comply with subpoena, Art. 1357
Form, Art. 1351
Inspection, Art. 1356
Issuance, Art. 1351

Mail, service by registered or certified mail, Art. 1355.1

Noncompliance, Art. 1357

Prepayment of fees, Art. 1353

Registered mail, service by, Art. 1355.1

Reissuance of subpoena, Art. 1355.1 Restrictions on subpoena, Art. 1352 Service of subpoena, Art. 1355, 1355.1

## SUBROGOR AND SUBROGEE

Parties plaintiff, Art. 697

## SUBSTITUTION OF PARTIES

Generally, Art. 801 et seq.

## SUBSTITUTION OF PARTIES—Cont'd

Appearance failure by legal successor, Art. 804

Appellate courts, rules applicable, **Art.** 821

Compulsory substitution for deceased party

generally, Art. 802

appearance failure by legal successor, **Art. 804** 

service or publication of summons, Art. 803

summons, Art. 802, 803

Deceased party

compulsory substitution. See
"Compulsory substitution for
deceased party" under this index
heading

voluntary substitution, **Art. 801**District courts, rules applicable, **Art. 821**Interest, transfer, **Art. 807**Legal representative, **Art. 805**Legal successor, generally, **Art. 801, 804,** 

Public officer, Art. 806

Service or publication of summons, compulsory substitution for deceased party, Art. 803

Summons, compulsory substitution for deceased party, Art. 802, 803

Transfer of interest, Art. 807

Trial courts, generally, **Art. 801 et seq.**Voluntary substitution for deceased party, **Art. 801** 

#### SUCCESSION

**Parties** 

generally, Art. 685, 734 substitution of parties, Art. 801, 804, 805

Venue, exceptions to general venue rules, Art. 81

## SUMMARY DECISIONS

New trial, summary decision on motion, **Art. 1979** 

## SUMMARY JUDGMENT

Generally, **Art. 966 to 969**Partial summary judgment, **Art. 1915** 

## SUPERVISORY WRITS

Appellate courts, supervisory writs, **Art.** 

## SUPPLEMENTAL PLEADINGS

Generally, Art. 1155, 1156

## SUPPLEMENTATION OF DISCOVERY

Generally, Art. 1428

## SUPPORT PROCEEDINGS

Exceptions to general venue rules, **Art. 74.2** 

#### SUPREME COURT

Appellate courts, rehearing on supreme court judgment, **Art. 2167** 

Appointment of district judge, Art. 158

Finality of judgment, Art. 2167

Justice, Art. 159

Motion, Art. 152

Recusation of judges

appointment of district judge, Art. 158

justice, Art. 159

motion, Art. 152

Rehearing, supreme court judgment, **Art.** 2167

## SUSPENSION OR REVOCATION

Appellate courts, suspension of appointment or removal of legal representative, Art. 2122

Appointment or removal of legal representative, suspension, **Art. 2122** 

Class actions, Art. 596

Corporate charter, revocation by secretary of state, **Art. 85** 

Legal representative, suspension of appointment, **Art. 2122** 

## SUSPENSIVE APPEAL

Appellate courts, delay for taking suspensive appeal, **Art. 2123** 

## SUSPENSIVE CONDITIONS

Pleading, Art. 857

## **TELEPHONE**

Deposition by, Art. 1436.1

## **TERMINATION**

Depositions, motion to terminate, **Art.** 1444

#### THIRD PARTIES

Appellate courts, third person's right to appeal, **Art. 2086** 

Citation, service of citation, Art. 1114

#### THIRD PARTIES—Cont'd

Defenses of original defendant available to third-party defendant, **Art. 1115** 

Demand against third party, **Art. 1111 et seq.** 

Failure to bring in third party, effect of, **Art. 1113** 

Intervention

generally, Art. 1091 et seq.

for detailed treatment see index heading INTERVENTION

Pleadings, service of, Art. 1114

Prescribed third party demand is not barred, **Art. 1041** 

Reconvention, defendant in reconvention may bring in third party, **Art. 1112** 

Service of citation and pleadings, **Art.** 

Third person brought in by third party, **Art. 1116** 

#### TIME OR DATE

Answer, time when answer of appellee necessary, **Art. 2133** 

Appellate courts

answer of appellee, time when necessary, Art. 2133

devolutive appeal, delay for taking, Art. 2087

record on appeal, dated, **Art. 2127.1** suspensive appeal, delay for taking, **Art. 2123** 

Application for new trial, delay in, **Art.** 1974

Delay

answer, delay for answering, **Art. 1001** appellate courts

devolutive appeal, delay for taking, Art. 2087

suspensive appeal, delay for taking, Art. 2123

application for new trial, delay in, **Art.** 1974

devolutive appeal, delay for taking, Art. 2087

judgments, delay for further action when notice required, Art. 1914

maximum delays, new trial, **Art. 1979** 

application for new trial, delay in, Art. 1974

maximum delays, Art. 1979

#### TIME OR DATE—Cont'd

Delay—Cont'd

suspensive appeal, delay for taking, Art. 2123

Depositions. See index heading DEPOSI-

Devolutive appeal, delay for taking, **Art.** 2087

Discovery, timing of discovery, Art. 1427 Exceptions. See index heading objections AND EXCEPTIONS

Extension of time. See index heading EXTENSION OF TIME

Judgment debtor, date of birth, Art. 1922 Maximum delays, new trial, Art. 1979

application for new trial, delay in, **Art.** 1974

maximum delays, Art. 1979

Nullity action, Art. 2002

Pleading. See index heading PLEADING Record on appeal, dated, Art. 2127.1

Service of process and papers, time of making, Art. 1231

Suspensive appeal, delay for taking, Art. 2123

## TRADE NAME

Parties, persons doing business under trade name, Art. 687, 736

## **TRANSCRIPTS**

Appellate courts, preparation of transcript of record on appeal, Art. 2127.2

#### **TRANSFERS**

Appellate courts, dismissal of transfer, Art. 2162

City court, transfer to, Art. 124

Clerks of court, transfer of pending cases, Art. 253.2

Dismissal for transfer, Art. 2162 Venue, change, Art. 121, 123, 124

Generally, Art. 1561 et seq.

Abandonment of action in trial court, Art. 561

Admission of adverse party, prevention of continuance by, Art. 1604

Affidavits, application for new trial, Art.

#### TRIAL—Cont'd

Appellate courts, divesting of trial court jurisdiction, Art. 2088

Application

delay for applying for new trial, Art.

verifying affidavit, Art. 1975

Assignment of cases

generally, Art. 1571 et seq.

for detailed treatment see index heading assignment of cases

Assignment of new trial, Art. 1977

Bond for costs

generally, Art. 1733

fixing, **Art. 1734** 

Certification, confirmation of default judgment, **Art. 1702.1** 

Comments on facts by judge prohibited, Art. 1791

Completion of trial, Art. 1637

Confirmation of default judgment, Art. 1702.1, 1704

Consolidation of cases for trial, Art. 1561 Continuance

generally, Art. 1601 et seq.

for detailed treatment see index heading CONTINUANCE

Costs, bond for

generally, Art. 1733

fixing, **Art. 1734** 

Cross-examination, Art. 1634

Damages, separate trials of issues, Art. 1562

Default and default judgments

generally, Art. 1701 et seq.

for detailed treatment see index heading Default and Default Judgments

Default judgment, Art. 1702

Delay

application for new trial, Art. 1974 maximum delays, Art. 1979

Demand for jury trial, Art. 1733

Deposit in cash, Art. 1734.1

Discretion, continuance, Art. 1601 Discretionary grounds, new trial, Art.

1973

Dismissal

generally, Art. 1671 et seq.

for detailed treatment see index heading DISMISSAL

ΓRIAL—Cont'd	TRIAL—Cont'd
Divesting of trial court jurisdiction, Art.	Modification in trial court—Cont'd
2088	application
Evidence	delay for applying for new trial, <b>Art</b>
generally, Art. 1636	1974
for detailed treatment see index head-	verifying affidavit, Art. 1975
ing EVIDENCE	assignment of new trial, Art. 1977
Exceptions. See index heading objections  AND EXCEPTIONS	delays
Exclusion of witnesses, <b>Art. 1631</b>	application for new trial, <b>Art. 1974</b>
Exemptions of jurors, Art. 1751	maximum delays, Art. 1979
Fixing bond for costs, Art. 1734	discretionary grounds, Art. 1973
Hearing, confirmation of default judg-	form, annulment for vices of, <b>Art.</b> 2002, 2003
ment, <b>Art. 1702.1</b>	maximum delays, <b>Art. 1979</b>
Information required, confirmation of	motion, summary decision on, <b>Art.</b>
default judgment, Art. 1702.1	1979
Instructions to jury	new trial
generally, <b>Art. 1792, 1793</b>	generally, Art. 1971 et seq.
for detailed treatment see index head- ing INSTRUCTIONS TO JURY	for detailed treatment see index
Involuntary dismissal, Art. 1672	heading NEW TRIAL
Issues triable, Art. 1731	notice, service, Art. 1976
Joint trial of common issues, Art. 1561	nullity action
Judge's comments on facts prohibited,	generally, Art. 2001 et seq.
Art. 1791	acquiescence, action lost through, Art. 2003
Judgments generally, <b>Art. 1841 et seq.</b>	appeal, effect on annulment of judg-
for detailed treatment see index head-	ments, Art. 2005
ing JUDGMENTS OR DECREES	form, annulment for vices of, <b>Art.</b>
Jurisdiction. See index heading Jurisdic-	2002, 2003
TION	judgments, annulment, Art. 2005
Jury room, evidence taken into, Art. 1794	place where action brought, <b>Art.</b>
Jury trial	2006
generally, Art. 1731 et seq.	preemption of action, Art. 2004
for detailed treatment see index head-	substance, annulment for vices of,
ing jury trial	Art. 2004
Less than all issues, trial, Art. 1736	time, <b>Art. 2002</b>
Liability	peremptory grounds, Art. 1972
costs, liability of parties for, Art. 1920	place where action brought, Art. 2006
separate trials of issues, Art. 1562	preemption of action, Art. 2004
Limitation upon jury trial, Art. 1732	procedure in new trial, Art. 1978
Maximum delays, Art. 1979	service of notice, Art. 1976
Modification in trial court	substance, annulment for vices of, Art
generally, Art. 1951	2004
acquiescence, action lost through, Art. 2003	summary decision on motion, <b>Art.</b> 1979
affidavits, application for new trial,	time, <b>Art. 2002</b>
Art. 1975	verifying affidavit, application for new
annulment of judgments, Art. 2005	trial, <b>Art. 1975</b>
appeal, effect on annulment of judg-	Motion, summary decision on, Art. 1979
ments, Art. 2005	Motions, continuance, Art. 1603, 1605

## TRIAL—Cont'd

New trial

generally, Art. 1971 et seq.

for detailed treatment see index heading NEW TRIAL

Notice

service of notice of new trial, **Art. 1976** written request for notice of trial, **Art.** 1572

Number required for verdict, **Art. 1797**Oath or affirmation of witnesses, **Art.**1633

Objections to instructions to jury, **Art.** 1793

Order of trial, Art. 1632

Orders

continuance, Art. 1605

pretrial conference, Art. 1551

Peremptory grounds, Art. 1602, 1972

Political subdivision, confirmation of default judgment in suits against, Art. 1704

Power of court over proceedings, **Art. 1631, 1875** 

Preferences, assignment of cases, **Art.** 1573

Prejudice, effect of dismissal with or without, **Art. 1673** 

Pretrial conference, Art. 1551

Pretrial procedure, Art. 1551

Prevention of continuance, Art. 1604

Procedure, generally, Art. 1631 et seq.

Pronouncement of judgment, Art. 1637

Record as to nature of evidence, Art.

1636

Refusal of witness to testify, **Art. 1633**Review of evidence, request by jury, **Art.**1795

Rule of court, assignment by, **Art. 1571**Scope of default judgment, **Art. 1703**Separate trial. See index heading SEPARATE
TRIAL

Service of notice of new trial, **Art. 1976**State, confirmation of default judgment in suits against, **Art. 1704** 

Statement as to nature of evidence, **Art.** 

Summary decision on motion, **Art. 1979** Terminally ill person, assignment of cases, **Art. 1573** 

## TRIAL—Cont'd

Verdicts

generally, Art. 1810 et seq.

for detailed treatment see index heading VERDICTS

Verifying affidavit, application for new trial, **Art. 1975** 

Video, live trial testimony by video, **Art. 1633.1** 

Voluntary or involuntary dismissal, **Art. 1671, 1672** 

Witnesses. See index heading WITNESSES Written request for notice of trial, assignment of cases, Art. 1572

#### TRUST ESTATE

Parties, Art. 699, 742

#### **TRUSTS**

Exceptions to rules, action involving voting trusts, Art. 86

## UNEMANCIPATED MINORS

Parties, Art. 683, 732

## UNINCORPORATED ASSOCIATIONS

Derivative actions, Art. 617

Parties, Art. 689, 738

Service of process and papers, Art. 1264

## VACATING OR SETTING ASIDE

Appointment or removal of legal representative vacated on appeal, **Art.** 2122

Power of district court to act in vacation, Art. 196

## **VALUE OR VALUATION**

Subject matter jurisdiction, value of right asserted, Art. 4

#### **VENUE**

Generally, Art. 41 et seq.

Adoption

adult adoption, Art. 74.5

marriage of persons related by, **Art.** 74.3

Change in domicile, action against individual, **Art. 71** 

Change of venue

generally, Art. 121 et seq.

for detailed treatment see index heading Change of Venue

Charter of corporation revoked by secretary of state, **Art. 85** 

VENUE—Cont'd	VENUE—Cont'd
City court, transfer to, Art. 124	Exceptions to general rules—Cont'd
Class actions, Art. 593	existing partnership, Art. 78
Community property, partition, Art. 82	filiation, Art. 74.1
Conflict between two or more articles, Art. 45	forum non conveniens, Art. 74.2
	immovable property, Art. 80
Contract, action on, <b>Art. 76.1</b>	insurance policy, action on, Art. 76
Corporations	joint obligors, Art. 73
charter of corporation revoked by secretary of state, <b>Art. 85</b>	judgment, Art. 72
domestic corporations, Art. 85	judicial bond, action on, Art. 75
exceptions to general rules, <b>Art. 85</b> , <b>86</b>	marriage of persons, Art. 74.3, 74.3.1
generally, Art. 85	offense or quasi offense, Art. 74
charter of corporation revoked by	open account, action on, <b>Art. 74.4</b>
secretary of state, Art. 85	partition
revocation of corporate charter by sec-	community property, Art. 82
retary of state, Art. 85	partnership property, <b>Art. 83</b>
secretary of state, revocation of	partners and partnership
corporate charter by, Art. 85	dissolution of partnership, Art. 79
Custody proceedings, exceptions to gen-	existing partnership, Art. 78
eral rules, Art. 74.2	partition of partnership property,  Art. 83
Definition of venue, Art. 41	property, Art. 72
Derivative actions, Art. 614	quasi offense, Art. 74
Disavowal of filiation, Art. 74.1	retirement systems, <b>Art. 84</b>
Doing business in another parish, action	revocation of corporate charter by sec-
against person, Art. 77	retary of state, Art. 85
Domestic corporations, Art. 85	secretary of state, revocation of
Employee benefit programs, Art. 84	corporate charter by, Art. 85
Exceptions to general rules	succession, Art. 81
generally, Art. 43, 71 et seq.	support proceedings, Art. 74.2
adoption	trusts, action involving voting trusts,
adult adoption, Art. 74.5	Art. 86
marriage of persons related by, Art.	Voting trusts, action involving, Art. 86
74.3	wrongful conviction and imprisonment,
change in domicile, action against indi-	application for compensation for,
vidual, <b>Art. 71</b>	Art. 87
charter of corporation revoked by secretary of state, <b>Art. 85</b>	Filiation, exceptions to general rules, <b>Art. 74.1</b>
community property, partition, Art. 82	Forum non conveniens. See index heading
contract, action on, Art. 76.1	FORUM NON CONVENIENS
corporations	General rules
generally, <b>Art. 85</b>	generally, <b>Art. 42, 43</b>
charter of corporation revoked by	forum non conveniens, exceptions to
secretary of state, Art. 85	general rules, Art. 74.2
custody proceedings, Art. 74.2	Immovable property, exceptions to gen-
disavowal of filiation, Art. 74.1	eral rules, Art. 80
dissolution of partnership, Art. 79	Improper venue, Art. 121
doing business in another parish, action	Insurance policy, action on, <b>Art. 76</b>
against person, Art. 77	Joint obligors, exceptions to general rules,
domestic corporations, Art. 85	Art. 73
employee benefit programs, Art. 84	Judgment, Art. 72

## **VENUE—Cont'd**

Judicial bond, action on, **Art. 75**Marriage of persons, exceptions to general rules, **Art. 74.3, 74.3.1** 

Objection, waiver of objection to venue, **Art. 44** 

Offense or quasi offense, exceptions to general rules, **Art. 74** 

Open account, action on, **Art. 74.4** Partition

community property, Art. 82 partnership property, Art. 83

Partners and partnership

dissolution of partnership, Art. 79 exceptions to general rules

dissolution of partnership, Art. 79
existing partnership, Art. 78
partition of partnership property,
Art. 83

existing partnership, **Art. 78** partition of partnership property, **Art.** 

Property, Art. 72

Quasi offense, exceptions to general rules, Art. 74

Retirement systems, exceptions to general rules, **Art. 84** 

Revocation of corporate charter by secretary of state, **Art. 85** 

Secretary of state, revocation of corporate charter by, Art. 85

Succession, exceptions to general rules, **Art. 81** 

Support proceedings, exceptions to general rules, **Art. 74.2** 

Transfers, Art. 121, 123, 124

Waiver of certain information, marriage, Art. 74.3.1

Waiver of objection to venue, **Art. 44**Wrongful conviction and imprisonment, application for compensation for, **Art. 87** 

#### **VERDICTS**

Generally, Art. 1810 et seq.

Additur as alternative to new trial, **Art. 1814** 

Alternative to new trial, Art. 1814

Answer to interrogatories, general verdict accompanied by, Art. 1813

Close of evidence, dismissal motion at, Art. 1810

#### VERDICTS—Cont'd

Directed verdicts, Art. 1810

Dismissal motion at close of evidence, Art. 1810

Evidence, dismissal motion at close, **Art.** 1810

Interrogatories, general verdict accompanied by answer to, **Art.** 1813

Judgment notwithstanding verdict, motion for, **Art. 1811** 

Motions

dismissal at close of evidence, Art.

judgment notwithstanding verdict, **Art.** 1811

New trial, additur or remittitur as alternative to, **Art. 1814** 

N.O.V. judgment, motion for, Art. 1811Number required for verdict, Art. 1797Procedure, number required for verdict, Art. 1797

Reformation of verdict, **Art. 1814**Remittitur as alternative to new trial, **Art.** 

Special verdicts, Art. 1812

## **VIDEO**

Live trial testimony by video, Art. 1633.1

#### **VOTING TRUSTS**

Exceptions to rules, action involving voting trusts, Art. 86

## WAIVER OR ESTOPPEL

Citation, Art. 1201

Declinatory exception, objections raised by, **Art. 925** 

Depositions. See index heading DEPOSITIONS

Dilatory exception, objections raised by, Art. 926

Jury trial, limitation upon, Art. 1732

Objection to venue, waiver of objection, Art. 44

Venue, Art. 44, 74.3.1

#### WIFE

See index heading husband and wife

## WITNESSES

Cross-examination. See index heading CROSS-EXAMINATION

## INDEX

## WITNESSES—Cont'd

Depositions. See index heading DEPOSITIONS

Exclusion of witnesses, **Art. 1631**Experts. See index heading EXPERTS
Oath or affirmation of witnesses, **Art.**1633

Refusal of witness to testify, **Art. 1633** Video, live trial testimony by video, **Art. 1633.1** 

## **WRITINGS**

Assignment of cases for trial, written request for notice of trial, **Art. 1572** 

## WRITS

Execution of instruments, **Art. 321**Supervisory writs, appellate courts, **Art. 2201**