

GENERAL INFORMATION  
CONCERNING FILING OF  
CLERK'S DOCKET SUITS

1. If you are a plaintiff filing a Clerk's Docket Suit in Bienville Parish, you must assume the position of representing yourself in a court of law.
2. In no way can the Clerk of Court's office give you legal advice, or advise you on the validity of your claim. You must be able to furnish a physical address for the defendant.
3. The advance deposit for filing a suit with one defendant is \$ 250.00. An additional \$ 50.00 is required for any additional defendants over one (1).
4. Clerk's Docket Suits filed in Bienville Parish are limited to \$3,000.00 and costs and interest.
5. After the Petition is filed the defendant is issued a Clerk's suit citation by the Clerk's office. This citation allows the defendant ten (10) days to answer, deny or settle the suit filed against them.
6. If no answer is filed within ten (10) days from the date the Sheriff served the party, then you will be entitled to obtain a Judgment against the person sued. You will be sent a notice informing you of the date the defendant was served. After ten days have passed, if no action has been taken by the defendant, you will need to prepare your Judgment and Affidavit of Correctness and bring or mail it to the Clerk's office. After signing, your Judgment will be recorded in the Mortgage Records of Bienville Parish.
7. After the Judgment has been signed by the Clerk of Court, the defendant is then served with a Notice of Judgment. After the Notice of Judgment has been served, the defendant then has ten (10) days to appeal that Judgment.
8. If no appeal is filed, then you will be in a position to garnish the defendant's wages to collect the amount you have sued for. You must be able to furnish the defendant's employer's name and address to the Clerk's office.
9. Please keep in mind that a Clerk's suit can be contested, answered and/or denied by the defendant, either in proper person or through an attorney. If this should occur, then you must be prepared to represent yourself and/or your case in Open Court before a presiding Judge. To set your case for trial, you must file a Motion and Order to Assign Case for Trial and request that you be given at least ten (10) days notice in advance of the setting for trial and give the address of the defendant, so that the defendant may be notified at least ten (10) days in advance of any setting for trial. You must be prepared to prove your claim at the time of the trial.
10. The Clerk's Office does not prepare any other pleadings once the case has been contested.
11. If the defendant wishes to settle the matter before trial, you must call 263-2123 and ask for the costs in the suit so that you may ask the defendant to pay all court costs involved. You as plaintiff must then come into the Clerk's Office and file a Motion and Order to Dismiss the suit.
12. The Clerk's Office holds you, the plaintiff, responsible for any court costs incurred in the filing of a Clerk's Docket suit. The filing fee is our estimate of what costs are on the average. If the costs should be more than the original filing fee, you will be billed for any excess costs.
13. Please remember that Clerk's Docket suits are not like "PEOPLE'S COURT" on TV. This is a legal action where you must represent yourself.

MAILING ADDRESS:

JAMES W. MARTIN, CLERK OF COURT  
100 Courthouse Drive, Room 100  
Arcadia, LA 71001  
318-263-2123

CLERK’S DOCKET NUMBER:

VERSUS

SECOND JUDICIAL DISTRICT COURT

BIENVILLE PARISH, LOUISIANA

PETITION FOR CLERK’S SUIT

The petition of \_\_\_\_\_  
with mailing address of \_\_\_\_\_  
\_\_\_\_\_ respectfully represents:

That made defendant(s) herein is \_\_\_\_\_  
with mailing address of \_\_\_\_\_  
is justly and truly indebted unto your petitioner in the full and true sum of \_\_\_\_\_  
\_\_\_\_\_ with interest at the legal rate per annum from date of judicial demand until paid and all costs of  
this suit, for the following reasons: \_\_\_\_\_  
\_\_\_\_\_ for which plaintiff has made demand and payment refused.

\_\_\_\_\_

AFFIDAVIT

STATE OF LOUISIANA  
PARISH OF BIENVILLE

BEFORE ME, personally came and appeared, \_\_\_\_\_,  
the undersigned, who being duly sworn, deposed and says that the above amount is correct, due  
and owing.

\_\_\_\_\_

SWORN TO AND SUBSCRIBED BEFORE ME, this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC-DEPUTY CLERK

SERVICE ADDRESS:

**AFFIDAVIT OF CORRECTNESS**

STATE OF LOUISIANA

PARISH OF BIENVILLE

BEFORE ME, the undersigned authority, personally came and appeared \_\_\_\_\_  
\_\_\_\_\_, who after duly being sworn by me , did depose and say that he/she is the  
\_\_\_\_\_ and that he/she is familiar with the account of the defendant  
\_\_\_\_\_.

The unpaid balance of said account is a total of (\$ \_\_\_\_\_ ) \_\_\_\_\_  
\_\_\_\_\_ Dollars. This balance reflects a payment  
of \_\_\_\_\_ on \_\_\_\_\_.

\_\_\_\_\_

SWORN TO AND SUBSCRIBED before me, this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

VERSUS

CLERK'S DOCKET NUMBER:  
SECOND JUDICIAL DISTRICT COURT  
BIENVILLE PARISH, LOUISIANA

**JUDGMENT**

This cause having come on regularly for hearing, all legal delays having elapsed, the defendant(s) having failed to appear herein or to answer thereto, and plaintiff having produced due proof of his/her case in this Court, the law and evidence being in favor thereof:

IT IS ORDERED, ADJUDGED AND DECREED that there be judgment in favor of the plaintiff, \_\_\_\_\_  
and against the defendant(s), \_\_\_\_\_  
in the just and full sum of \_\_\_\_\_  
\_\_\_\_\_

with interest at the legal rate per annum from date of judicial demand until paid and for all costs of this suit.

Judgment rendered, read, signed and filed in the office of the Clerk of Court of Bienville Parish, Louisiana, during legal hours, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

JAMES W. MARTIN  
CLERK OF COURT, BIENVILLE PARISH

CLERK’S DOCKET NUMBER:  
SECOND JUDICIAL DISTRICT COURT  
BIENVILLE PARISH, LOUISIANA

VERSUS

**PETITION FOR GARNISHMENT**

The petition of \_\_\_\_\_,  
Plaintiff, a resident of \_\_\_\_\_ respectfully  
represents that:

1.

Plaintiff has obtained a Writ of Fieri Facias ordering the Sheriff of the Parish of Bienville to seize and take into his possession the property, real and personal, and rights and credits of the defendant, \_\_\_\_\_, and to cause to be made, in the manner prescribed by law, an amount sufficient to pay and satisfy the Writ, namely \_\_\_\_\_ plus interest, attorney’s fees and all costs of these proceedings, having good reason to believe that \_\_\_\_\_, third party, is indebted to the said defendant or has property or effects in the possession or control of said third party.

WHEREFORE, petitioner, \_\_\_\_\_, prays that \_\_\_\_\_ be made garnishee herein and ordered to answer under oath the following interrogatories and, after all due and legal proceedings, be condemned to pay the amount of said Writ and costs.

**ORDER**

THE ABOVE AND FOREGOING CONSIDERED, Let this petition be filed and let \_\_\_\_\_ be made garnishee herein and be ordered to answer the accompanying interrogatories under oath and in writing, and as law directs.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
JUDGE

SERVICE INFORMATION:

VERSUS

CLERK'S DOCKET NUMBER:

SECOND JUDICIAL DISTRICT COURT

BIENVILLE PARISH, LOUISIANA

**PETITION FOR CLERK'S SUIT TO MAKE JUDGMENT  
EXECUTORY AND FOR GARNISHMENT**

The petition of \_\_\_\_\_,  
Plaintiff, a resident of \_\_\_\_\_ respectfully  
represents:

Plaintiff brings this action under the provision of Articles 2781, et seq., of the Louisiana  
Code of Civil Procedure, praying that the Judgment attached hereto, in Suit No. \_\_\_\_\_,  
of the \_\_\_\_\_ Court, Parish of \_\_\_\_\_,  
State of Louisiana, be made executory, a certified copy of said Judgment being attached hereto  
and made a part hereof.

Petitioner FURTHER prays that \_\_\_\_\_  
be cited as Garnishee herein and ordered to answer the attached garnishment interrogatories field  
herewith.

WHEREFORE, petitioner prays that this Honorable Court make executory the Judgment  
in Suit No. \_\_\_\_\_, of the \_\_\_\_\_ Court,  
\_\_\_\_\_ Parish, Louisiana and \_\_\_\_\_  
be cited as Garnishee herein.

\_\_\_\_\_  
IN PROPER PERSON

**ORDER**

THE ABOVE AND FOREGOING CONSIDERED, Let the Judgment in Suit  
No. \_\_\_\_\_ be filed and recorded herein and let said Judgment become executory and  
\_\_\_\_\_ be made garnishee herein.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE

SERVICE INFORMATION:

CLERK'S DOCKET NUMBER:

VERSUS

SECOND JUDICIAL DISTRICT COURT

BIENVILLE PARISH, LOUISIANA

### INTERROGATORIES

To be answered by \_\_\_\_\_, Garnishee, under oath.

1. Are you not indebted to Defendant in the sum of \_\_\_\_\_ Dollars? If not, how much? \_\_\_\_\_
2. Have you not in your hands, or under your control, any money, rights, credits, property or effects of any description, belonging to defendant? If yes, state how much, and in what it consists, and if the same is of the value of \_\_\_\_\_  
\_\_\_\_\_.
3. Have you not, since the service of these interrogatories, paid or transferred to the Defendant any money, property, credits, or effects of any description whatever, or caused same to be done? If yes, state how much, and in what it consisted.  
\_\_\_\_\_  
\_\_\_\_\_.
4. Have you since the services of these interrogatories, had any transaction whatever with Defendant? If yes, state in what it consisted.  
\_\_\_\_\_  
\_\_\_\_\_.
5. Is the Defendant employed by you? If so, what is his/her rate of compensation, what are the dates on which you make payment to him/her, and what period do these payments cover? You being required to make a full disclosure with reference thereto.  
\_\_\_\_\_  
\_\_\_\_\_.
6. Are there any other writs of garnishment or judgments thereon pending or in force at the present time affecting Defendant's compensation? If so, give full particulars, you being required to make a full disclosure with reference thereto.  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
SIGNED

Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

CLERK’S DOCKET NUMBER:

VERSUS

SECOND JUDICIAL DISTRICT COURT

BIENVILLE PARISH, LOUISIANA

**STATEMENT OF SUMS DUE UNDER GARNISHMENT**

In connection with an application for garnishment of wages filed in this captioned case, I certify the following to be a true and correct statement of the judgment claim as of this date:

Principal                   \$

Late Fees

Interest (to date)

Attorney’s Fees

Court Costs (to date)

SUBTOTAL

Credit

TOTAL

I further certify that the above figures reflect all credits due against the account, but the account is subject to accrual of additional interest, attorney’s fees, sheriff’s commission and court costs.

\_\_\_\_\_, Louisiana, this the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_



CLERK'S DOCKET NUMBER:

VERSUS

SECOND JUDICIAL DISTRICT COURT

BIENVILLE PARISH, LOUISIANA

**JUDGMENT ON GARNISHMENT**

The Court considering the interrogatories propounded and the answers of the Garnishee in favor thereof, and the law and the evidence being in favor thereof:

IT IS ORDERED, ADJUDGED AND DECREED that there be judgment rendered herein in favor of the Plaintiff, \_\_\_\_\_, and against the GARNISHEE \_\_\_\_\_, ordering payment to the Sheriff of Bienville Parish, Louisiana of deductions from the wages, salary, commission and other compensation of the Defendant herein, \_\_\_\_\_, said deductions to be at the rate of twenty-five (25%) percent of his/her compensation at each time that he/she is paid, provided that no deduction shall be made which would reduce the compensation of the Defendant below the sum of \$154.50 per week, and provided further, that upon giving written notice filed with the officer to whom payments are to be made that the defendant has left his/her employ, the Garnishee shall be relieved of all further liability and discharged herein. Except as herein otherwise provided, deductions and payments shall continue until satisfaction of the writ of fieri facias issued herein in the sum of \_\_\_\_\_ DOLLARS, together with legal interest from date of judicial demand until paid, and all costs of this suit. In no event the said deductions shall encroach upon a minimum disposable salary of \$154.50 per week, or a maximum of 25% of the employee's monthly salary. The judgment herein shall be effective for the purpose of computing deductions from the date of service upon Garnishee of the petition for garnishment and interrogatories.

JUDGMENT RENDERED, SIGNED, AND READ at Arcadia, Louisiana, this the \_\_\_\_\_ day of

\_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
JUDGE

VERSUS

CLERK’S DOCKET NUMBER:  
SECOND JUDICIAL DISTRICT COURT  
BIENVILLE PARISH, LOUISIANA

**MOTION TO DISMISS CLERK’S SUIT**

NOW INTO COURT, comes plaintiff, \_\_\_\_\_  
suggesting to the Court that the above case be dismissed.

Respectfully submitted,

BY: \_\_\_\_\_

**ORDER**

THE ABOVE MOTION CONSIDERED, it is hereby ordered that Plaintiff’s petition is  
dismissed at defendant’s cost.

Arcadia, Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE