

The Clerk of Court's Office in Louisiana fulfills what might be considered a dual function. Under the constitution of Louisiana, the clerk is the Clerk of the District Court for the parish and at the same time is ex-officio recorder of deeds, mortgages and other instruments. The Clerk's office receives and files all pleadings, such as petitions, answers and exceptions in civil matters as well as indictments, bills of information and other filings in criminal matters. It is the gate through which all civil, probate and criminal proceedings must pass to reach the Court for trial. Each lawsuit, succession proceeding and criminal matter is entered on a docket, assigned a number and indexed in the names of all parties affected for ready references. The office issues all processes, such as citation or notice to the defendants for service by the Sheriff and subpoenas all witnesses to be used on the trial of civil and criminal matters. Daily minutes of the Court are kept of all proceedings in each civil, criminal or probate matter. All the pleadings, petitions, answers, exceptions, motions and judgments filed in each case are entered into records maintained for that purpose. At the time of filing a petition by which a civil or probate matter is commenced, an advance deposit is required to cover the cost of the proceedings as they accrue. The Clerk's Office maintains separate accounts of each such proceeding and pays out of the advance deposit such sums as have been earned by the office as well as Sheriff's charges, witness fees, appraisers and notary fees and other items chargeable to costs. In its function as recorder, the office receives, files and enters on the daily register all deeds, mortgages and other instruments to be recorded in the public records of the Parish. These instruments are then routed and assigned



for recordation in the appropriate record books maintained for the different categories to which they relate. Conveyance records contain the record of all deeds, exchanges, partitions, judgments recognizing heirs and other instruments, the effect of which is to transfer real property interests and rights therein. Oil and gas leases, mineral sales, royalty deeds, rights of way for pipelines, roadways, telephone and electric transmission lines are included in the class of instruments in the conveyance records. It is through the conveyance and plat records that the title to all real estate situated within the Parish is traced to determine its present ownership and status. In St. John the Baptist Parish these records date back to the year 1799, many of which were handwritten in French or Spanish. Throughout the years these records have been

typewritten, photocopied by the Photostat process, copied, and microfilmed. Currently we are imaging each document. This allows the public to view the document on a computer monitor, without physically touching it.

In the Mortgage Department all records of mortgages, judgments, liens, Marriage Licenses are issued by the Clerk's Office, the returns thereof, after the celebration of and other encumbrances affecting real estate are recorded. Cancellation of these instruments is effected by a marginal notation made on the record when a proper voucher evidencing payment or satisfaction thereof is presented and filed. In the case of a mortgage given to secure the payment of a promissory note or notes, the note or notes themselves must be presented and filed. The note is identified with the mortgage which secures it by the paraph of the

same Notary before whom the mortgage was executed and the loss or destruction of such note presents a serious problem in effecting cancellation of the mortgage.

Chattel mortgages, which are mortgages of movable property, are recorded, only in abstract form and the same rules which apply to cancellation of mortgages on real estate apply to cancellation of chattel mortgages.

There are numerous other records maintained in the office, such as Bond Records, Corporation Charters, Partnerships, Certificates of Trade Names and other miscellaneous instruments. Each recorded instrument must necessarily be indexed and cross indexed for ready reference.

The use of microfilm or scanning has been authorized by the Legislature as a means of recording certain classes of records, and at the present time we are engaged in the project of imaging all records as a security measure against their

damage or destruction by fire or other calamity.

All original instruments filed in the office must be retained for perpetuity in the office and after recording are not returned to the parties, as is done in most of the United States. In the Mortgage Department all records of mortgages, judgments, liens ..

Marriage Licenses are issued by the Clerk's Office, the returns thereof, after the celebration of the marriage ceremony are recorded and cross indexed.

Another function of the office is to serve as chief election officer of St. John the Baptist Parish. This entails instruction of commissioners, delivery of voting machines to all polling precincts and the certification of the results of elections. The ever increasing volume of records through the years necessarily creates a



Tremendous housing and storage problem to the extent that most of the offices throughout the state are over crowded. This is especially true in St. John the Baptist Parish where the volume of records has increased tremendously in the past few years and will continue to increase as our parish grows.

All salaries and running expenses of the office are paid out of the fees, as fixed by statute , collected for recordings , certified copies and services rendered in connection with civil, probate and criminal proceeding. **No tax money is provided for the operation of the office.**

The Office also issues Passports & Birth Certificates



Parish President
Natalie Robottom 652-9569

Sheriff
Michael Tregre 652-9513

District Attorney
Bridget A. Dinvaut 497-8270

Assessor
Lucien J. Gauff, III 652-5311
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Madeline Jasmine 497-3315
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Present as a public service
By Eliana DeFrancesch

Your Clerk of Court's Office



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Clerk of Court
St. John the Baptist Parish
40th Judicial District Court