

SELF-REPRESENTED LITIGANT

MOTION TO DISBURSE **CONCURSUS FUNDS**

This form is intended for litigants who:

- ✓ Wish to request to have Concursus Funds disbursed to them.

Information you will need:

1. The exact name and address of the other party in this matter

These instructions are meant to guide you through the process of **asking the court to order the Plaquemines Parish Clerk of Court to disburse Concursus Funds.**

This packet of forms is not legal advice and cannot take the place of the advice that a lawyer can give you. It is always best to speak with a lawyer before taking any legal action. **When you represent yourself in court, you must follow all the proper procedures and the law. It is your responsibility to see your case through the whole process.**

1. Be sure you have the correct form.
2. Read all instructions before you begin.
3. Fill in the blanks with 100% accurate information. *Any false statement made in court or written in a court document may constitute perjury.*
4. Check all options that pertain to your situation.
5. If you have trouble reading, writing, or understanding what is in this motion, seek help at the 25th Judicial District Clerk of Court's Office at 301 Main Street, Suite 108 in Belle Chasse, in the Government Annex Building, (504) 934-6610 or at the Pointe-a-la-Hache Courthouse, 18055 Highway 15, Pointe-a-la-Hache, LA 70082.

INSTRUCTIONS FOR FILING A MOTION TO DISBURSE CONCURSUS FUNDS

1 STEP ONE THE PETITION

The first step is to fill out and file the "Motion to Disburse Concursus Funds" form. Read everything carefully, double check the information you fill in, and make sure you fill out the forms completely.

These instructions will guide you through the motion paragraph by paragraph.

- The top part of this form is your case information.

Forms prepared by the Louisiana State Bar Association Access to Justice Department and the 25th Judicial District Court. No representation or enrollment as counsel is expressed or implied.

- Fill in the caption of Plaintiff(s) and Defendant(s) from the original matter. If you are unsure of the correct caption, case number and division, please ask the Clerk of Court's office to assist you in locating the proper title, case number and division of court.
- The beginning paragraph asks you to fill in your name and "as referred to" identification.
- Paragraph 1 asks you, petitioner, to fill in your "referred to" name with the statement of a person of the full age of majority and your residential address. Enter the parish and state which you currently reside.
- Paragraph 2 asks you to fill in your "referred to" name and date of service of citation to claim concursus funds.
- Paragraph 3 asks you to fill in your "referred to" name and a statement verifying you as the landowner in the captioned proceedings arising out of a [enter the appropriate action – i.e. levee setback, etc.]
- Paragraph 4 asks you to fill in your "referred to" name with the amount awarded.
- Paragraph 5 asks you to fill in your "referred to" name.
- Finally, sign and provide your name, address, and telephone number where it says "Respectfully submitted."

2 STEP TWO FILING

After you've filled out all of the documents, you must file them with the Clerk of Court's office.

- You must go to Clerk of Court's office in the parish where you are bringing your case (Plaquemines Parish).
- You must file the original forms that you filled out. It's also a good idea to make 2 copies of your filled out forms and bring them with you. When you file the originals, ask the Clerk of Court's office to stamp your copies for your records.
- The Clerk of Court's office can also provide your case information, such as the name of your case, your case number, and your division. Write this information down and keep it because you will need it to check the status of your case.
- Anytime you file something with the Clerk of Court's office, you will have to pay a filing fee, unless you have been granted pauper status. There are different fees for different documents. The Clerk of Court's office can tell you how much the fees are.

Once you file your documents with the Clerk of Court's office, the Motion and Order will be provided to the Judge for signature. Once signed, the Clerk of Court will prepare the disbursed funds and either sends to you at the address provided by regular mail or contact you at the phone number provided advising the funds were available for pick up at the Clerk of Court's office.

25TH JUDICIAL DISTRICT COURT

PARISH OF PLAQUEMINES

STATE OF LOUISIANA

Case No. _____

DIV. _____

[PLAINTIFF]

VERSUS

[DEFENDANT]

FILED: _____

DEPUTY CLERK: _____

MOTION TO DISBURSE CONCURSUS FUNDS

NOW INTO COURT, comes _____ (*hereinafter sometimes referred to as "_____"*), in proper person, who moves this Honorable Court as follows:

I.

_____ is a person of the full age of majority and a resident domiciliary of the Parish of _____, State of _____.

II.

_____ was served with a Citation herein on the _____ day of _____, 20__ to claim their \$ _____ from the Concursus Fund.

III.

_____ was a landowner in the above captioned appropriation proceedings arising out of a _____, as more properly described herein.

IV.

As part of the appraisal process, _____ was awarded the sum of \$ _____, to be deposited in the registry of the Court until _____, as owner of _____, was offered \$ _____ which was deposited in their name, to which they now accepts.

V.

_____ thus requests that this Honorable Court issue an order for the Plaquemines Parish Clerk of Court to disburse the above referenced settlement funds to _____, plus all interest that has accumulated on said funds.

Respectfully submitted,

(SIGNATURE)

(PRINTED FULL NAME)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(TELEPHONE NUMBER)

ORDER

Considering the foregoing Motion to Disburse Concurus Funds,

IT IS ORDERED that the Plaquemines Parish Clerk of Court disburse to _____, _____, the \$_____ in concursus funds awarded to _____ in this matter, with all interest that has accumulated on said funds.

Pointe-a-la-Hache, Louisiana this _____ day of _____, 20_____.

JUDGE