

The Supreme Court of the State of Louisiana

JULIE ROBERT

No. 2025-CJ-00957

VS.

HARRY PAUL ROBERT, II

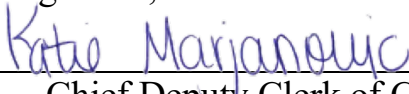
IN RE: Julie Robert - Applicant Plaintiff; Applying For Supervisory Writ, Parish of East Baton Rouge, East Baton Rouge Family Court Number(s) F-189174, Court of Appeal, First Circuit, Number(s) 2025 CW 0629;

August 05, 2025

Writ application granted. See per curiam.

CRC
JLW
JDH
WJC
JBM
PDG
JMG

Supreme Court of Louisiana
August 05, 2025



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2025-CJ-00957

JULIE ROBERT

VS.

HARRY PAUL ROBERT, II

On Supervisory Writ to the Juvenile Court, Parish of East Baton Rouge

PER CURIAM

This case arises from a dispute between parents over selection of a high school for their minor son, H.R. The parties entered into a stipulated judgment whereby they agreed to submit the issue of school choice to arbitration. They further stipulated that following arbitration, any party aggrieved by the arbitrator's decision may approach the family court "in the position of a non-domiciliary parent and ask that the matter be submitted to the Court, de novo, for a decision." After interviewing the parties and reviewing records, the arbitrator selected Parkview Baptist High School.

The father sought judicial review. After a hearing, the family court rendered judgment decreeing that H.R. should attend Catholic High School. The mother sought supervisory review. The court of appeal denied writs, with one judge dissenting. The mother now seeks emergency review in this court, on the ground the school year will be starting soon.

Although the family court has not designated a domiciliary parent in this case, the parties' stipulated judgment is consistent with La. R.S. 9:335(B)(3) insofar as it treats the arbitrator's decision on school choice as if it was made by a domiciliary parent and places the aggrieved party in the position of a non-domiciliary parent for purposes of judicially challenging the arbitrator's decision. Pursuant to La. R.S. 9:335(B)(3), the arbitrator's decision is therefore entitled to the presumption that it

is “in the best interest of the child.” *See, e.g., Lawson v. Lawson*, 48,296 (La. App. 2 Cir. 7/24/13), 121 So. 3d 769, 773–74 (“[i]n the judicial review, it is presumed that all major decisions made by the domiciliary parent are in the best interest of the child and the burden of proving they are in fact not in the best interest of the child is placed on the non-domiciliary parent who opposes the decision.”).

In reaching its decision, the arbitrator found H.R. was caught between the strong preferences of his parents, with his mother preferring Parkview Baptist High School and his father preferring Catholic High School. The arbitrator found H.R. was “unwavering” in his choice that he attend Parkview High School. Based on the evidence, including the opinion of the child’s therapist, the arbitrator found it was important to give effect to the child’s preference.

The record does not indicate the father produced any compelling evidence to challenge the validity of the arbitrator’s decision or otherwise rebut the presumption that the decision to recommend Parkview Baptist High School was in H.R.’s best interest. Rather, it appears the family court simply substituted its judgment in place of the arbitrator’s decision. This judgment is in error.

DECREE

For the reasons assigned, the May 27, 2025 judgment of the Family Court for the Parish of East Baton Rouge is reversed. The December 20, 2024 decision of the arbitrator recommending that the minor child H.R. attend Parkview Baptist High School beginning in August 2025 is accepted and made the judgment of the court. The case is remanded to the family court for further proceedings not inconsistent with this judgment.