

The Supreme Court of the State of Louisiana

MORGAN MCCANN THIBODEAUX

No. 2025-CJ-00972

VS.

LUKE JOSEPH THIBODEAUX

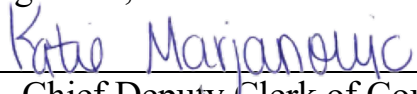
IN RE: Luke Joseph Thibodeaux - Applicant Defendant; Applying For Supervisory Writ, Parish of East Baton Rouge, East Baton Rouge Family Court Number(s) F-220,822, Court of Appeal, First Circuit, Number(s) 25 CW 0760;

August 06, 2025

Writ application granted. See per curiam.

CRC
JLW
JDH
WJC
JBM
PDG
JMG

Supreme Court of Louisiana
August 06, 2025



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2025-CJ-00972

MORGAN McCANN THIBODEAUX

VS.

LUKE JOSEPH THIBODEAUX

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

PER CURIAM

Luke Joseph Thibodeaux, the father of two minor children, seeks review of a July 24, 2025 judgment of the East Baton Rouge Family Court which designates the father as the children’s domiciliary parent, but goes on to provide “the minor children shall remain enrolled in school in the Central Community School System so long as [the children’s mother] maintains her residence in Central, Louisiana.”

The authority of a domiciliary parent is set forth in La. R.S. 9:335(B)(3), which provides:

(3) The domiciliary parent shall have authority to make all decisions affecting the child unless an implementation order provides otherwise. All major decisions made by the domiciliary parent concerning the child shall be subject to review by the court upon motion of the other parent. It shall be presumed that all major decisions made by the domiciliary parent are in the best interest of the child. [emphasis added]

The July 24, 2025 judgment clearly designates the father as domiciliary parent. Therefore, in the absence of an implementation order to the contrary, the father retains authority for all decisions affecting the minor children, including school choice.

The mother submits the portion of the judgment maintaining the children’s enrollment in the Central Community School System constitutes an implementation order. Although there is no specific form requirement for an implementation order, such an order must satisfy certain requirements, including specifying the legal

authority and responsibility of the parents. La. R.S. 9:335(A); *Hodges v. Hodges*, 2015-0585 (La. 11/23/15), 181 So. 3d 700, 710–11.

The July 24, 2025 judgment fails to specify any legal authority or responsibility of the mother with respect to school choice; rather, it unilaterally decrees the children will remain enrolled in the Central Community School System so long as the mother maintains her residence in the district. This portion of the judgment is an improper infringement on the father’s authority as domiciliary parent under La. R.S. 9:335(B)(3) and must be reversed.

DECREE

For the reasons assigned, the portion of the July 24, 2025 judgment providing that the children shall maintain enrollment in the Central Community School System is reversed. The judgment is amended to provide that Luke Joseph Thibodeaux, as domiciliary parent, shall have authority to make all decisions affecting the children, including school choice subject to review by the court upon motion by the other parent. If the other parent objects to the domiciliary parent’s choice of school, the family court is directed to apply the presumption that the domiciliary parent’s choice is in the best interest of the child, and to hear the motion in an expedited manner.