

State of Louisiana



EXECUTIVE DEPARTMENT EXECUTIVE ORDER NUMBER JBE 2016-66

EMERGENCY SUSPENSION OF DEADLINES IN LEGAL, ADMINISTRATIVE, AND REGULATORY PROCEEDINGS

AMENDING EXECUTIVE ORDERS JBE 2016-53 and JBE 2016-57

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, a state of emergency was declared in Proclamation No. 111 JBE 2016, which is currently in effect;

WHEREAS, Article I, Section 22 of the Louisiana Constitution provides that all courts shall be open, and every person shall have an adequate remedy by due process of law and justice, administered without denial, partiality, or unreasonable delay, for injury to him in his person, property, reputation, or other rights;

WHEREAS, because of the flooding disaster declared in Proclamation No. 111 JBE 2016, Executive Order Number JBE 2016-53 suspended deadlines in legal, administrative, and regulatory proceedings, and this Order was amended on August 17, 2016, with Executive Order JBE 16-57; and

WHEREAS, due to the continuing challenges faced by litigants, interested parties, and attorneys in the areas of the state affected by the disaster in Proclamation 111 JBE 2016, it is necessary to amend and extend Executive Orders JBE 2016-53 and JBE 2016-57.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Executive Orders JBE 2016-53 and 2016-57 are hereby amended as follows:

- A. Liberative prescription and preemptive periods continue to be and shall be suspended throughout the state until and through Friday, September 30, 2016.
- B. Deadlines in legal proceedings in courts, administrative agencies and boards affected by the flooding event, defined as the following parishes: Acadia, Ascension, Assumption, Avoyelles, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, Livingston, Pointe Coupee, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Tammany, Tangipahoa, Vermilion, Washington, West Baton Rouge and West Feliciana, shall be suspended upon certification by any litigant, interested party, or attorney that they are unable to meet a legal deadline due to the declared disaster. Once the inability to meet a legal deadline is certified, the applicable legal deadline shall be suspended until and through Friday, September 30, 2016. Any such suspension shall apply to legal deadlines, including but not limited to, non-constitutionally mandated deadlines in criminal proceedings and any such deadlines as follows:

- i. Louisiana Civil Code;
- ii. Louisiana Code of Civil Procedure;
- iii. Title 9 of Louisiana Revised Statutes, Civil Code Ancillaries;
- iv. Title 13 of Louisiana Revised Statutes, Courts and Judicial Procedure;
- v. Chapter 11 of Title 18 of Louisiana Revised Statutes, Election Campaign Financing;
- vi. Chapter 10 of Title 23 of Louisiana Revised Statutes, Worker's Compensation;
- vii. Chapter 5, Part XXI-A, of Title 40 of Louisiana Revised Statutes, Malpractice Liability for State Services;
- viii. Chapter 5, Part XXIII, of Title 40 of Louisiana Revised Statutes, Medical Malpractice;
- ix. Chapter 15 of Title 42 of Louisiana Revised Statutes;
- x. Title 47 of Louisiana Revised Statutes, Revenue and Taxation; and
- xi. Title 49, Chapter 13, Administrative Procedure.

C. Further, courts, administrative agencies, and boards throughout the state should use due diligence in accommodating requests for delays or continuances from any litigant, interested party, or attorney who may have been impacted by the declared disaster.

D. Paragraph B of this Section shall not be interpreted so as to prohibit an owner of immovable property from reclaiming leased property if abandoned as provided by law, or entering leased property to make necessary repairs as provided by law.

SECTION 2: This order is effective upon signature and shall be effective upon signature until Friday, September 30, 2016, unless amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law prior to such time.

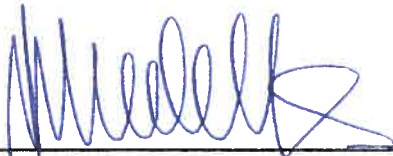


IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 9th day of September, 2016.



GOVERNOR OF LOUISIANA

**ATTEST BY
 THE GOVERNOR**



SECRETARY OF STATE