

# SUPREME COURT OF LOUISIANA

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## ORDER

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Acting in accordance with Article V, Sections 1, 5 and 25(C) of the 1974 Louisiana Constitution, and the inherent power of this Court, and considering the need to amend the Judiciary Commission rules,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

Louisiana Supreme Court Rule XXIII, Section 23(a), third paragraph, be and is hereby enacted to read as follows:

**Section 23.**

(a)

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The confidentiality provisions of the first paragraph of this subpart shall not be applicable to matters that are pending before the commission when a judge retires or resigns from judicial office, and thereafter qualifies to run for another elective public office. When a retired or resigned judge qualifies for any elective office, the following documents and information in the custody of the commission, that were not disposed of by the commission at the time of the judge's retirement or resignation, shall be subject to public disclosure: (1) any open or pending complaints filed against the judge; (2) any response by the judge to the initial inquiry by the commission to the pending complaint(s); (3) any formal charges authorized by the commission; (4) any answers and/or exceptions to the formal charges; (5) any stipulations of fact that have been agreed to by special counsel and the judge that have been approved by the

commission; (6) any joint recommendations with respect to legal conclusions and recommendations as to judicial discipline that have been accepted by the commission; (7) the transcript of any hearing before the commission; (8) any evidence introduced at the hearing before the commission; and (9) any written findings of fact and conclusions of law that are authored by the commission. The commission's investigatory and deliberation materials shall remain confidential. Confidentiality shall be maintained as to all matters that have been disposed of by the commission at the time of the judge's retirement or resignation.

This rule change shall become effective upon signing and shall remain in full force and effect thereafter until amended or changed through future Orders of this Court.

New Orleans, Louisiana, this \_\_\_\_\_ day of August, 2007.

FOR THE COURT:

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Pascal F. Calogero, Jr., Chief Justice