

# SUPREME COURT OF LOUISIANA

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## ORDER

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Acting in accordance with Article V, Sections 1, 5 and 25 of the 1974 Louisiana Constitution, and the inherent power of this Court, and considering the need to amend the rules of this Court regarding the utilization of hearing officers in Judiciary Commission matters,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

**Part 1.** Louisiana Supreme Court Rule XXIII, Section 29(b) be and is hereby repealed and re-enacted to read in its entirety as follows:

**Section 29. Hearing Officers.**

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(b) **Random Allotment and Venue.** From the hearing officer designees of the court, the commission shall select a hearing officer for each case by random allotment to conduct hearings pursuant to sections five through nine and eleven of this rule. The random allotment procedure shall not, however, include any designee from the supreme court district where the respondent judge presides. Furthermore, in order to help insure that the hearing officers receive an equivalent number of cases, any designated hearing officer to whom a case has been randomly allotted shall not be included in the next four case allotments in which the hearing officer is eligible to serve.

The venue of hearing officer proceedings and any hearing to be conducted by a hearing officer shall be governed by Section 7 of this rule.

**Part 2.** Louisiana Supreme Court Rule XXIII, Section 29(d), first sentence, be and is hereby repealed and re-enacted to read as follows:

(d)     **The conduct of hearings.** The hearing officer shall set a prompt hearing date, regulate the course of the hearing, make appropriate rulings, set the time for adjourned or continued hearings and fix the time for filing proposed findings, briefs and other documents, and shall have such other authority as specified by the commission, not inconsistent with the provisions of this rule.

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These rule changes shall become effective upon signing and shall remain in full force and effect through October 31, 2009, at which time these rule changes shall terminate, unless amended or extended through future Order of this Court.

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

FOR THE COURT:

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Pascal F. Calogero, Jr., Chief Justice