

# SUPREME COURT OF LOUISIANA

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## ORDER

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Acting in accordance with Article V, Sections 1 and 5 of the Louisiana Constitution of 1974, and the inherent power of this Court, and considering the need to amend the Rules for Lawyer Disciplinary Enforcement,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

Louisiana Supreme Court Rule XIX is hereby amended as follows:

**1. Rule XIX, Section 15A:**

The final sentence of Rule XIX, Section 15A is hereby amended to read as follows:

Sworn statements of witnesses shall not be considered privileged and shall be disclosed if requested, at the requesting party's cost, unless good cause is shown.

**2. Rule XIX, Section 24E(3):**

Rule XIX, Section 24E(3) is hereby amended to read as follows:

(3) If the lawyer was suffering under a physical or mental disability or infirmity at the time of suspension or disbarment, including alcohol or other drug abuse, the disability or infirmity has been removed. Where alcohol or other drug abuse was a causative factor in the lawyer's misconduct, the lawyer shall not be reinstated or readmitted unless all three conditions noted below are met:

(a) the lawyer has pursued and complied with the treatment recommendations of the Judge’s and Lawyer’s Assistance Program (“JLAP”) and has complied with the conditions of the monitoring contract;

(b) the lawyer has offered evidence of sustained abstinence from addictive substances or processes and/or has offered evidence of compliance with recommended healthcare regimen prescribed by provider(s) that meet JLAP standards; and

(c) A healthcare provider or team of providers that meets JLAP standards who has been involved with the care of the lawyer indicates in writing that the lawyer’s prognosis is sufficiently good to predict that the lawyer will continue to manage any condition or disability effectively.

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These rule changes 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 November, 2019.

FOR THE COURT:

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Bernette Joshua Johnson, Chief Justice