

1 **RULES OF THE LOUISIANA SUPREME COURT**

2
3 (proposed additions are underlined; proposed deletions are ~~struck through~~)

4
5 **RULE XII. CERTIFIED QUESTIONS FROM FEDERAL COURTS**

6
7 **Section 1.** When it appears to the Supreme Court of the United States, ~~or to~~
8 any circuit court of appeal of the United States, or to any district court of the
9 United States, that there are involved in any proceedings before it questions
10 or propositions of law of this state which are determinative of said cause
11 independently of any other questions involved in said case and that there are
12 no clear controlling precedents in the decisions of the supreme court of this
13 state, such federal court before rendering a decision may certify such
14 questions or propositions of law of this state to the Supreme Court of
15 Louisiana for rendition of a judgment or opinion concerning such questions
16 or propositions of Louisiana law. This court may, in its discretion, decline to
17 answer the questions certified to it or reformulate the question certified.

18
19 **Section 2.** The provisions of this rule may be invoked by the ~~Supreme Court~~
20 ~~of the United States or any circuit court of appeal of the United~~
21 ~~States~~certifying court upon its own motion or upon the suggestion or motion
22 of any interested party.

23 ...

24
25 **Section 4.** The certificate may be prepared by stipulation or as directed by
26 such certifying court. When prepared and signed by ~~the Chief Justice of the~~
27 ~~United States Supreme Court or by the presiding judge of the court of appeal~~
28 ~~of the United States, whichever be the presiding judge of~~ the certifying court,
29 it shall be certified to the Supreme Court of this state by the clerk of the
30 certifying court and under its official seal. The original or copies of all or any
31 portions of the record before the certifying court, as it may direct or as either
32 party may request, shall be filed with the said certificate. If all of the record
33 has not been filed, the Supreme Court of Louisiana may in its discretion order
34 that all or any portion of the remaining record be filed with a proper certificate
35 as herein described.

36 ...