

SUPREME COURT OF LOUISIANA

ORDER

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 Louisiana Rules of Professional Conduct,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

Rule 3.8(d) of the Louisiana Rules of Professional Conduct be and is hereby amended to read as follows:

Rule 3.8. Special Responsibilities of a Prosecutor

The prosecutor in a criminal case shall:

* * *

(d) make timely disclosure to the defense of all evidence or information known to the prosecutor that the prosecutor knows, or reasonably should know, either tends to negate the guilt of the accused or mitigates the offense, and, in connection with sentencing, disclose to the defense and to the tribunal all unprivileged mitigating information known to the prosecutor, except when the prosecutor is relieved of this responsibility by a protective order of the tribunal;

* * *

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 _____ day of _____, 2006

FOR THE COURT:

Pascal F. Calogero, Jr., Chief Justice