

SUPREME COURT OF LOUISIANA

ORDER

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 Louisiana Supreme Court Rule XXIII, Section 29,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

Part 1. Louisiana Supreme Court Rule XXIII, Section 29(a), first and second sentences, be and they are hereby amended to read as follows:

Section 29. Hearing Officers.

(a) **Designation; authority.** This court may designate no less than ten, and no more than fifteen, sitting, former, or retired judges to serve as hearing officers to hear and report to the commission in accordance with the provisions of sections five through nine and eleven of this rule. The court may also designate to serve as hearing officers sitting, former or retired judges who are serving, or have served, on courts of limited jurisdiction, such as city courts and juvenile courts.

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Part 2. Louisiana Supreme Court Rule XXIII, Section 29(c)(5) be and is hereby amended to read as follows:

(5) In deciding a motion, the hearing officer shall not engage in *ex parte* communications with the special counsel or with the respondent judge and his or her counsel. In this regard, as to

exceptions, motions, and all other matters, during the time the hearing officer is serving with regard to formal charges filed, the hearing officer shall be subject to the Code of Judicial Conduct. Retired and former judges who serve as hearing officers shall be subject to the Code of Judicial Conduct to the same extent that the Code applies to retired judges.

Part 3. Louisiana Supreme Court Rule XXIII, Section 29(i) be and is hereby amended to read as follows:

(i) Remuneration

A retired or former judge who serves as a hearing officer shall be entitled to remuneration for his or her services in the same manner as the court compensates retired judges.

This rule change shall become effective on November 1, 2007, and shall remain in full force and effect for a period of two years following the effective date, at which time this rule change shall terminate, unless amended or extended through future Orders of this Court.

New Orleans, Louisiana, this _____ day of October, 2007.

FOR THE COURT:

Pascal F. Calogero, Jr., Chief Justice