

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 the Court, and considering the need to amend Supreme Court Rule XXXIX,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

Section 4F of Louisiana Supreme Court Rule XXXIX be and is hereby amended to read as follows:

F. (1) In the event a matter pertaining to financial disclosure is referred to the Commission, and the Commission finds that the person may have failed to file a financial statement, or failed to disclose or accurately disclose the required information, the Commission may order that a hearing be conducted before a hearing officer designated by the Court pursuant to La. S. Ct. Rule XXIII, Section 29(a). A hearing officer shall be selected for the hearing in accordance with La. S. Ct. Rule XXIII, Section 29 (b). The Office of Special Counsel shall file an itemized cost statement with the Commission in any case in which the Commission convenes a hearing.

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(6) If the Commission determines the person has failed to file a statement, or failed to disclose or accurately disclose the required information, the Commission shall file the record and a recommendation with the Court. In that event, the Commission shall recommend the imposition of civil penalties

and costs in accordance with subpart 7 of this subsection, and shall also make a recommendation as to whether the violation was willful and knowing.

(7) The Court shall assign the case for argument summarily in accordance with La. S. Ct. Rule VI, Section 3. Judgment shall be rendered promptly following argument. If the Court determines that no violation has occurred, no penalty shall be assessed. In the event the Court determines that a violation has occurred, the Court shall assess civil penalties in the following amounts:

(a) Up to one hundred dollars per day, in the Court's discretion, for statements required by Section 2 of this Rule.

(b) Up to fifty dollars per day, in the Court's discretion, for statements required by Section 3 of this Rule.

(c) All or a portion of the costs incurred by the Office of Special Counsel and the Commission, in the Court's discretion.

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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 the Court.

New Orleans, Louisiana, this _____ day of November, 2011.

FOR THE COURT:

Catherine D. Kimball, Chief Justice