

SUPREME COURT OF LOUISIANA

ORDER

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

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

Louisiana Supreme Court Rule XII, Sections 1, 2, and 4 are hereby amended as follows:

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

Section 2. The provisions of this rule may be invoked by the certifying court upon its own motion or upon the suggestion or motion of any interested party.

Section 4. The certificate may be prepared by stipulation or as directed by such certifying court. When prepared and signed by the presiding judge of the certifying court, it shall be certified to the Supreme Court of this state by the clerk of the certifying court and under its official seal. The original or copies of all or any portions of the record before the certifying court, as it may direct or as either party may request, shall be filed with the said certificate. If all of the record has not been filed, the Supreme Court of Louisiana may in its discretion order that all or any portion of the remaining record be filed with a proper certificate as herein described.

This rule change shall become effective immediately 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 June, 2023

FOR THE COURT:

John L. Weimer, Chief Justice