

# SUPREME COURT OF LOUISIANA

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## ORDER

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Acting in accordance with Article V, Sections 1 and 5 of the Louisiana Constitution of 1974, and the inherent power of this Court,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

Supreme Court Rule XXIX is hereby enacted to read as follows:

### **PART F. GENERAL RULES OF PROCEDURE**

#### **Rule XXIX. Legislative Continuances**

**Section 1.** If the presence, participation, or involvement of a member of the legislature, who is a party or an attorney for a party, is required in any criminal or civil case, including any pretrial or post-trial proceeding, during any legislative session or constitutional convention, there shall be a presumption that a motion for continuance filed by the member of the legislature is proper and should be granted. The motion for continuance must be accompanied by an affidavit that the legislator will be or is in actual attendance of a session of the legislature or a constitutional convention and that it is the legislator's intention to participate actively in the preparation and/or presentation of the case. The presumption may be overcome by proof that:

- A. The motion is being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; or
- B. The objecting party has a substantial existing right or interest that will be defeated or abridged and will suffer substantial and immediate irreparable harm if the requested continuance is granted.

If seeking a continuance of a court proceeding or deadline occurring outside the time frame of a legislative session or constitutional convention, a member of the legislature that is a party or an attorney for a party to an action may obtain a legislative continuance upon a showing of good cause. A showing, accompanied by an affidavit, that a legislator is required to attend an out-of-session committee hearing or other official legislative function and that the presence of such legislator in court is necessary and essential to a fair and proper trial or other proceeding in the suit may be considered good cause.

**Section 2.** A court denying a properly filed motion for a legislative continuance shall assign specific reasons for the denial. Any person or attorney who has filed a motion for legislative continuance which has been denied may apply directly to this Court for supervisory writs to review the action or inaction of the court where the motion was filed.

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, this \_\_\_\_\_ day of October, 2024

FOR THE COURT:

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John L. Weimer, Chief Justice