

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 recommendations of the Louisiana Judicial Campaign Oversight Committee,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

Part 1. Section I of the Rules and Operating Procedures of the Louisiana Judicial Campaign Oversight Committee be and is hereby amended to add a third paragraph, to read as follows:

I. Receipt of Complaints

* * *

When a complaint requires the Committee to review a videotape or a photograph, duplicate originals of the videotape or photograph shall be forwarded with the complaint.

Part 2. Section II of the Rules and Operating Procedures of the Louisiana Judicial Campaign Oversight Committee be and is hereby amended to add a second paragraph, to read as follows:

II. Preliminary Dismissal of Complaints

* * *

Given the time constraints for reviewing complaints which allege campaign conduct violations, it is of the utmost importance that complainants provide evidentiary support for the allegations made in the complaint. Complaints which lack sufficient evidentiary support to allow the Committee to adequately assess whether clear and convincing evidence exists of a violation of one of the canons which falls within the Committee's oversight jurisdiction may be dismissed by the Chair, without further review by the Oversight Committee.

Part 3. Section VI of the Rules and Operating Procedures of the Louisiana Judicial Campaign Oversight Committee be and is hereby amended to add a third paragraph, to read as follows:

VI. Form of Public Statements

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The Chair may forward a public statement to any media outlet deemed appropriate.

Part 4. Section X of the Rules and Operating Procedures of the Louisiana Judicial Campaign Oversight Committee be and is hereby amended to read in its entirety as follows:

X. Nature of Proceedings

Judicial campaign oversight proceedings are informal and confidential, unless and until a public statement is issued. The Committee shall make reasonable attempts to informally resolve disputes involving campaign conduct in lieu of issuing a public statement. Such informal action and resolution may include, but is not limited to, procuring an agreement from the respondent candidate to withdraw an advertisement, to retract or clarify a campaign statement, or such other informal disposition as may be deemed appropriate.

When a respondent candidate expresses a willingness to consider an informal resolution, the Chair, with the approval of a majority of the Committee members, may negotiate and finalize an informal resolution to the complaint.

Part 5. Section XV of the Rules and Operating Procedures of the Louisiana Judicial Campaign Oversight Committee be and is hereby enacted to read as follows:

XV. Closure of Files

When a matter before the Oversight Committee has been closed or otherwise terminated, each member of the Oversight Committee shall destroy his or her file on that matter.

Part 6. The “Acknowledgment Regarding Canon 7 of the Louisiana Code of Judicial Conduct,” as amended, be and is hereby approved. The Acknowledgment Form, as amended, is attached to this Order.

Part 7. The Complaint Form of the Judicial Campaign Oversight Committee, as amended, be and is hereby approved. The amended Complaint Form is attached to this Order.

New Orleans, Louisiana, this _____ day of _____, 2003.

FOR THE COURT:

Pascal F. Calogero, Jr., Chief Justice