

SUPREME COURT OF LOUISIANA

NO. 12-O-1342

IN RE: OFFICE OF CHIEF JUSTICE, LOUISIANA SUPREME COURT

ORDER

Acting under the authority of Article V of the Louisiana Constitution of 1974, and the inherent power of this Court, and considering that contrary legal positions have been expressed on the issue of who will succeed to the office of Chief Justice of the Louisiana Supreme Court upon the retirement of present Chief Justice Catherine D. Kimball on January 31, 2013,

And further considering that the administration of justice requires a legal determination of who will assume the position of Chief Justice on February 1, 2013,

IT IS HEREBY ORDERED THAT

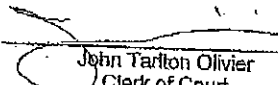
Any sitting Justice interested in a legal determination of this matter may file with the Clerk of Court, no later than July 31, 2012, on the following issue:

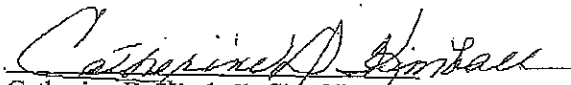
In consideration of Chief Justice Catherine D. Kimball's retirement on January 31, 2013, for purposes of determining who is Chief Justice of the Louisiana Supreme Court as of February 1, 2013, which Justice is the "judge oldest in point of service on the supreme court" under Article V, Section 6 of the Louisiana Constitution of 1974?

Factual matters, if any, shall be submitted by affidavit filed with the Clerk of Court no later than July 31, 2012. Any responses by a sitting Justice shall be filed with the Clerk of Court by August 15, 2012. This matter shall be assigned for written opinion.*

NEW ORLEANS, LOUISIANA, this 13th day of June, 2012.

SUPREME COURT OF LOUISIANA
A TRUE COPY


John Tarlton Olivier
Clerk of Court


Catherine D. Kimball, Chief Justice

*Chief Judge Burrell J. Carter, Court of Appeal, First Circuit, Chief Judge Henry N. Brown, Jr., Court of Appeal, Second Circuit, and Chief Judge Ulysses Gene Thibodeaux, Court of Appeal, Third Circuit, participating as justices *ad hoc*.
Johnson, Knoll and Victory, JJ, recused.

SUPREME COURT OF LOUISIANA

O R D E R

Acting under the authority of Article V, Section 5(A), Constitution of 1974, and the inherent power of this Court, and considering that Justice Bernette Joshua Johnson, Justice Jeannette Theriot Knoll, and Justice Jeffrey P. Victory are recused, and the need to assign three Justices ad hoc to the Supreme Court of Louisiana to participate in "In Re: Office of Chief Justice, Louisiana Supreme Court", No. 12-O-1342 to legally determine which Justice is the "judge oldest in point of service on the Supreme Court" under Article V, Section 6 of the Louisiana Constitution of 1974, and who will assume the position of Chief Justice upon the retirement of the present Chief Justice Catherine D. Kimball on January 31, 2013, and further considering the willingness of Chief Judge Burrell J. Carter, Court of Appeal, First Circuit, Chief Judge Henry N. Brown, Jr., Court of Appeal, Second Circuit, and Chief Judge Ulysses Gene Thibodeaux, Court of Appeal, Third Circuit, to accept said assignment,

IT IS ORDERED THAT:

Chief Judge Burrell J. Carter, Court of Appeal, First Circuit, Chief Judge Henry N. Brown, Jr., Court of Appeal, Second Circuit, and Chief Judge Ulysses Gene Thibodeaux, Court of Appeal, Third Circuit be and are hereby assigned as Justices ad hoc of the Supreme Court of Louisiana, sitting for Justice Bernette Joshua Johnson, Justice Jeannette Theriot Knoll, and Justice Jeffrey P. Victory, for the purpose of participating in "In Re: Office of Chief Justice, Louisiana Supreme Court", No. 12-O-1342 to legally determine which Justice is the "judge oldest in point of service on the Supreme Court" under Article V, Section 6 of the Louisiana Constitution of 1974, and who will assume the position of Chief Justice upon the retirement of the present Chief Justice Catherine D. Kimball on January 31, 2013, subject to the completion of any unfinished business.

This Order shall not deprive Justice Bernette Joshua Johnson, Justice Jeannette Theriot Knoll, and Justice Jeffrey P. Victory of their offices as Justices of the Supreme Court of Louisiana, nor shall it deprive Chief Judge Burrell J. Carter, Court of Appeal, First Circuit, Chief Judge Henry N. Brown, Jr., Court of Appeal, Second Circuit, and Chief Judge Ulysses Gene Thibodeaux, Court of Appeal, Third Circuit of their offices as Judges of their respective courts.

The Court or Judge requesting ad hoc or pro tempore assistance shall have the duty and obligation to provide the requisite courtroom and office space, legal support personnel (if necessary), court reporting and secretarial personnel, and related equipment to enable ad hoc or pro tempore judges to fulfill their obligations.

Given under our hands and seal this 13th day of June, A.D., 2012, New Orleans, Louisiana.

FOR THE COURT:

SUPREME COURT OF LOUISIANA
A TRUE COPY OF DOCUMENT AS
SAME APPEARS IN OUR RECORDS

Rachel Edelman

Rachel Edelman
Sesane Deputy Clerk of Court

Catherine D. Kimball
Catherine D. Kimball, Chief Justice