

Subject: Repeal and reenact State Police Commission Rule 13.26(a)

Pursuant to the provisions of State Police Commission Rule 2.10(a), the State Police Commission will hold a public hearing on September 19, 2002, to consider repeal and reenactment of State Police Commission Rule 13.26(a). The hearing will begin at 9:00 a.m. in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana.

Chapter 13

Appeals and Hearings

13.26 Attorney's Fees.

When the Commission approves a settlement, rescission or modification of an action that has been appealed, or renders a decision which reverses or modifies an action that has been appealed, the appellee may be ordered to pay attorney's fees in an amount not to exceed \$1,500, unless the Commission concludes that the appointing authority has acted arbitrarily and capriciously, in which case, the Commission may award reasonable attorney's fees in excess of that amount.

When the Commission denies an appeal, the appellant may be ordered to pay attorney's fees in an amount not to exceed \$1,500, unless the Commission concludes that the appellant has acted frivolously, in which case, the Commission may award reasonable attorney's fees in excess of that amount.

Please review this proposal and furnish, in writing, by September 9, 2002 any comments which you consider pertinent. If you would like to appear before the Commission and present your comments orally, you are invited to do so. You must notify this office by September 9, 2002 of your intention to address the Commission, in order to be placed on the agenda.

Please post this General Circular in a prominent place, so that all employees will receive notice of these public meetings. If any special accommodations are needed, please notify us prior to the meeting date.

Sincerely,

Debra L. Johnson
Director