Revised 07/01/23

Effective 07/01/23

**SF-6 WRIT/APPEAL**

|  |
| --- |
| **Attorney — Client Communication Privileged, Confidential, and Exempt from Disclosure under applicable law. Contains material prepared by counsel and may include advice of counsel.** |

**DOJ/ORM REQUEST FOR WRIT OR APPEAL**

**Instructions:**

* + **Part A** of this form shall be completed when Trial Counsel submits Part B. If Trial Counsel did not submit an original SF-6, Appellate Counsel must complete **Part A** as well as **Part B-I** when completing **Parts C or D.**
  + **Part B** of this form shall be completed by **Trial Counsel** when requesting authority to seek or forgo a direct appeal or an application for supervisory writ from an adverse trial court judgment or ruling. **Part C** of this form shall be completed by **Appellate Counsel** when requesting authority to seek or forgo Louisiana Supreme Court review of an adverse Louisiana appellate court ruling or to forego responding to a writ application filed by a plaintiff or other party. **Part D** of this form shall be completed by **Appellate Counsel**, and onlywhen requesting authority to seek United States Supreme Court review of an adverse United States Fifth Circuit or Louisiana Supreme Court ruling.
  + All submissions of **Parts C or D** of the SF-6 by Appellate Counsel shall be made in the original SF-6 previously submitted by Trial Counsel, so that the form is self-contained and an evolving document throughout the appellate process.
  + This form shall be submitted **within seven days** of receipt of a ruling adverse to a State defendant.
  + **While the request is pending, the Trial Counsel (Part B) or the Appellate Counsel (Parts C or D) may not, in any case, permit the delays to seek relief lapse, and shall file all necessary pleadings to protect the State’s interests.**
  + For purposes of this form, the “LP/DOJ Appellate Team” is comprised of the AAG Trial Attorney, the AAG Appellate Attorney, the subject matter section chief, and the Litigation Division Appeals Section Chief or designee. If the AAG Trial Attorney is located in a satellite office, the Appellate Team also includes the Regional Office Chief or appropriate Deputy Regional Office Chief.
  + For purposes of this form, a Special Assistant Attorney General (“SAAG”) is deemed to be both the Trial Counsel and the Appellate Counsel.
  + For purposes of this form, “applicable subject matter section chief” refers to the following:

[CivilRightsSectionChief@ag.louisiana.gov](mailto:CivilRightsSectionChief@ag.louisiana.gov)

[GeneralLiabilitySectionChief@ag.louisiana.gov](mailto:GeneralLiabilitySectionChief@ag.louisiana.gov)

[MedicalMalpracticeSectionChief@ag.louisiana.gov](mailto:MedicalMalpracticeSectionChief@ag.louisiana.gov)

[RoadHazardSectionChief@ag.louisiana.gov](mailto:RoadHazardSectionChief@ag.louisiana.gov)

[TransportationSectionChief@ag.louisiana.gov](mailto:TransportationSectionChief@ag.louisiana.gov)

[WorkersCompSectionChief@ag.louisiana.gov](mailto:WorkersCompSectionChief@ag.louisiana.gov)



**PART A: GENERAL FILE INFORMATION:**

Caption of case:

JDC, Parish, Docket Number, and Name of Presiding Judge:

Type of Case:

ORM Number:

TPA Number (if applicable):

MRP Number (if applicable):

Adjuster:

Telephone Number:

Email:

Client (State agency or employee):

AAG/SAAG:

Telephone Number:

Email:

AAG Appellate Counsel:

Telephone Number:

Email:

Plaintiff(s):

Counsel for Plaintiff(s):

Other parties and their counsel (co-defendant(s), intervenor(s), etc.):

**PART B – REVIEW BY APPELLATE COURT**

1. **Brief Summary of the Case**:
   1. Pertinent Factual Background:
   2. Pertinent Procedural History:
2. **The Specific Ruling, Order or Judgment Subject to Review:**
   1. Date of adverse ruling (include date of ruling in open court, as well as date that written ruling was signed):
   2. Briefly describe the adverse decision (including whether the ruling is final or interlocutory):
   3. Discuss whether any other party can seek appellate review of the Trial Court’s ruling:
   4. Identify the reviewing court (specify federal or state and the circuit):
   5. Date Notice of Intent or Notice of Appeal Due:
   6. Other Critical Dates (include any upcoming trial date or other deadline relevant to the timing of this appeal/writ):
3. **Recommended Action:**

I request authority to  seek or  forgo the filing of:

A supervisory writ (review of an interlocutory ruling of the trial court by an appellate court)

An appeal of a trial court judgment

1. **Basis of the Recommended Action:**
2. Discuss each factual or legal error allegedly committed:
3. Describe the statutory or jurisprudential support for the recommendation:
4. Identify the applicable standard of review:
5. Explain the impact of seeking/waiving appellate or supervisory review on the state's defense of the case:

|  |
| --- |
| **AAG Trial Attorney/SAAG Recommendation:**  to seek review of ruling  to forgo review of ruling  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date.  Print Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Instructions:** For **AAGs or SAAGs,** send the completed form in electronically editable format to the **applicable subject matter section chief,** with a copy to[AppealsSectionChief@ag.louisiana.gov](mailto:AppealsSectionChief@ag.louisiana.gov) and [LitigationReportTracking@ag.louisiana.gov](mailto:LitigationReportTracking@ag.louisiana.gov).    **For AAG Trial Attorneys located in satellite offices,** send the completed form electronically to **your Regional Office Chief or Deputy Regional Office Chief, as applicable.** |
| **Regional Office Comments (If Applicable):**  Comments:  Submitted by: Date: Click here to enter a date.  Regional Office Chief  Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to **the applicable subject matter section chief.** |
| **Subject Matter Section Comments:**  Comments:  Submitted by: Date: Click here to enter a date.  Section Chief  Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to [**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)**,** with a copy to[**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.** |
| **Appeals Section Comments:**  Comments:  Date of LP/DOJ Appellate Team Meeting:  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­\_\_\_\_ Date: Click here to enter a date.  PHYLLIS GLAZER,Section Chief  Appeals Section, Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to [**ORMSF6@la.gov**](mailto:ORMSF6@la.gov) with a copy to [**LitigationReportTracking@ag.louisiana.gov**](file:///\\ag-file-01\Litigation\BatonRouge\APPEALS\Admin%20Matters\PEG\SF-6%20form%20drafts\LitigationReportTracking@ag.louisiana.gov). |
| **Office of Risk Management Comments:**  Click here to enter text.  Approved: Date: Click here to enter a date.  JOSEPH M. ROUSSEL  Assistant Director for Litigation Management  Office of Risk Management  **Instructions:** Send the completed form electronically to[**LitigationDirector@ag.louisiana.gov**](mailto:LitigationDirector@ag.louisiana.gov)**,** with a copy to[**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)and[**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.** |
| **Litigation Director Comments:**  Click here to enter text.  Approved: Date: Click here to enter a date.  SONIA MALLETT  Director, Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to[**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**, with a copy to** [**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)**.** |

**PART C – REVIEW BY LOUISIANA SUPREME COURT**

Appellate Counsel:

Telephone Number:

Email:

Opposing Appellate Counsel:

Telephone Number:

Email:

Appellate Court and Docket #:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **The Specific Decision Subject to Review:**
   1. Briefly describe the adverse decision:
   2. Date of adverse decision:
   3. Has an Application for Rehearing been filed?
   4. Date Writ Petition Due:
   5. Other Critical Dates:
   6. Date(s) of LP/DOJ Appellate Team Meeting(s):
2. **Recommended Action:**

I request authority to:

File a writ of certiorari to the Louisiana Supreme Court;

Forgo filing a writ of certiorari to the Louisiana Supreme Court; or

Forgo filing a response to a writ filed by a plaintiff or other party

1. **Basis For Recommended Action:**
2. Describe the statutory or jurisprudential support for the recommendation:
3. Identify the applicable standard of review:
4. Explain the impact of seeking or waiving Supreme Court review on the State:

|  |
| --- |
| **AAG Appellate Attorney/SAAG Recommendation:**  to seek review of ruling  to forgo review of ruling  Forgo filing a response to a writ filed by a plaintiff or other party  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date.  Print Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Instructions:** For **AAG Appellate Attorneys,** send the completed form in electronically editable format **to the AAG Trial Attorney with a copy to** [**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)**.**  **For SAAGs,** send the completed form in electronically editable format to the **applicable subject matter section chief,** with a copy to[**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)and[**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.** |
| **AAG Trial Attorney**  Agree with recommendation  Disagree with recommendation  Comments:  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date.  Print Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Instructions: For AAG Trial Attorneys or SAAGs,** send the completed form in electronically editable format to the **applicable subject matter section chief.**  **For AAG Trial Attorneys located in satellite offices,** send the completed form electronically to **your Regional Office Chief or Deputy Regional Office Chief, as applicable.** |
| **Regional Office Comments (If Applicable):**  Agree with recommendation  Disagree with recommendation  Comments:  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date.  Regional Office Chief  Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to **the applicable subject matter section chief.** |
| **Subject Matter Section Comments:**  Agree with recommendation  Disagree with recommendation  Comments:  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date.  Section Chief  Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to[**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)**,** with a copy to[**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.** |
| **Appeals Section Comments:**  Comments:  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date.  PHYLLIS GLAZER,Section Chief  Appeals Section, Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to [ORMSF6@la.gov](mailto:ORMSF6@la.gov), with a copy to [**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.** |
| **Office of Risk Management Comments:**  Click here to enter text.  Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date.  JOSEPH M. ROUSSEL  Assistant Director for Litigation Management  Office of Risk Management  **Instructions:** Send the completed form electronically to[**LitigationDirector@ag.louisiana.gov**](mailto:LitigationDirector@ag.louisiana.gov)with a copy to [**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov) and **LitigationReportTracking@ag.louisiana.gov.** |
| **Litigation Director Comments:**  Click here to enter text.  Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date.  SONIA MALLETT  Director, Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to[**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**, with a copy to** [**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)**.** |

**PART D – REVIEW BY UNITED STATES SUPREME COURT**

Appellate Counsel:

Telephone Number:

Email:

Opposing Appellate Counsel:

Telephone Number:

Email:

U.S. Fifth Circuit Docket #:

Louisiana Supreme Court Docket #:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **The Specific Decision Subject to Review:**
   1. Date of adverse decision:
   2. Briefly describe the adverse decision:
   3. Has an Application for Rehearing been filed?
   4. Date Writ Petition Due with U.S. Supreme Court:
   5. Other Critical Dates:
   6. Date(s) of LP/DOJ Appellate Team Meeting(s):
2. **Recommended Action:**

I request authority to seek a writ of certiorari to the United States Supreme Court

1. **Basis For Recommended Action:**
2. Describe the statutory or jurisprudential support for the recommendation:
3. Identify the applicable standard of review:
4. Explain the impact of seeking review on the State:

|  |
| --- |
| **AAG Appellate Attorney/Contract Attorney Recommendation:**  to seek a writ of certiorari to the United States Supreme Court  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date  Print Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Instructions:** For **AAG Appellate Attorneys,** send the completed form in electronically editable format to **the AAG Trial Attorney.**  For **SAAGs,** send the completed form in electronically editable format to **the applicable subject matter section chief**, with a copy to[**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)and[**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.** |
| **AAG Trial Attorney**  Agree with recommendation  Disagree with recommendation  Comments:  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date  Print Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Instructions:** For **AAG Trial Attorneys** or **SAAGs,** send the completed form in electronically editable format to the **applicable subject matter section chief**, with a copy to [**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov) **and** [**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.**  **For AAG Trial Attorneys located in satellite offices,** send the completed form electronically to **your Regional Office Chief or Deputy Regional Office Chief, as applicable.** |
| **Regional Office Comments (If Applicable):**  Agree with recommendation  Disagree with recommendation  Comments:  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date  Regional Office Chief  Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to **the applicable subject matter section chief.** |
| **Subject Matter Section Comments:**  Agree with recommendation  Disagree with recommendation  Comments:  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date  Section Chief  Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to[**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)**,** with a copy to[**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.** |
| **Appeals Section Comments:**  Comments:  Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date  PHYLLIS GLAZER,Section Chief  Appeals Section, Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to [ORMSF6@la.gov](mailto:ORMSF6@la.gov), with a copy to [**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.** |
| **Office of Risk Management Comments:**  Click here to enter text.  Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date  JOSEPH M. ROUSSEL  Assistant Director for Litigation Management  Office of Risk Management  **Instructions:** Send the completed form electronically to:[**LitigationDirector@ag.louisiana.gov**](mailto:LitigationDirector@ag.louisiana.gov)with a copy to [**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov) and [**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**.** |
| **Litigation Director Comments:**  Click here to enter text.  Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: Click here to enter a date  SONIA MALLETT  Director, Litigation Division  Office of the Attorney General  **Instructions:** Send the completed form electronically to[**LitigationReportTracking@ag.louisiana.gov**](mailto:LitigationReportTracking@ag.louisiana.gov)**,** with a copy to[**AppealsSectionChief@ag.louisiana.gov**](mailto:AppealsSectionChief@ag.louisiana.gov)**.** |