



COURT OF APPEAL, THIRD CIRCUIT  
STATE OF LOUISIANA

Adopted by the Administrative Court Conference on September 25, 2019

**Internal Rule 32. All Briefs and Memoranda—Certification for Evidentiary Attachments**

Appellate courts are courts of record and may not review or consider evidence that has not first been properly and officially offered, introduced, and considered in the proceedings below. See *Denoux v. Vessel Mgmt. Servs., Inc.*, 07-2143 (La. 5/21/08), 983 So.2d 84. Thus all briefs and memoranda filed in this Court with attachments to be considered by this Court as evidence, whether filed in conjunction with appeals, motions, or writ applications, shall contain the following certification:

“I hereby verify that all evidence attached to this brief or memorandum, for the purpose of review and consideration as evidence by this Court, has previously been entered into evidence, or proffered as evidence in the lower court, to the best of my knowledge, information and belief. I understand that failure to comply with this local rule may result in this Court’s refusal to consider said attachments. *WILLFUL FAILURE TO COMPLY WITH THIS LOCAL RULE MAY SUBJECT ME TO PUNISHMENT FOR CONTEMPT OF COURT.*”

No such evidentiary attachment will be considered by this Court if not filed and/or accepted or proffered as evidence in the lower court unless by Order of this Court for good cause shown.<sup>1</sup>

*Adopted on September 25, 2019; effective on November 1, 2019; amended on December 14, 2019; amendment effective on May 8, 2020.*

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<sup>1</sup> This local rule shall not be interpreted to prohibit, and this certification shall not apply to, other non-evidentiary attachments required by the Uniform Rules—Courts of Appeal, or allowed in practice to facilitate the Court’s understanding of the issues and precedents involved.