

SUPREME COURT OF LOUISIANA

No. 13-C-2879

[PARENTS OF MINOR CHILD]

VERSUS

GEORGE J. CHARLET, JR., DECEASED, CHARLET FUNERAL HOME,
INC., [THE PRIEST], AND THE ROMAN CATHOLIC CHURCH OF
THE DIOCESE OF BATON ROUGE

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIRST
CIRCUIT, PARISH OF EAST BATON ROUGE

GUIDRY, J., concurs in the denial of rehearing with reasons.

The privilege created by La. Code of Evid. art. 511 is for “confidential communications,” that is, communications “made privately and not intended for further disclosure by the person to a clergyman in his professional character as a spiritual adviser,” and belongs to the communicant. There is no express statutory privilege, exception to the reporting mandate, or even particular reference to communications during the Catholic Sacrament of Reconciliation or Confession. Whether or not the communication was part of a “confession per se” as that term is understood in religious doctrine, may be an ecclesiastical problem for the priest, but it does not appear to be relevant here to consideration of the meaning and intent of the Louisiana statutes involved in this case.