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SUPREME COURT OF LOUISIANA

NO. 14-BA-2608

IN RE: COMMITTEE ON BAR ADMISSIONS CFN-3313

CRICHTON, J., dissents:

Petitioner's long record of deceitful and dishonest conduct was the basis for the denial of her application for admission to the bar in 2012. She now reapplies for admission – but in my view, she has made a woefully inadequate showing of any circumstances relevant to her good moral character having changed since the prior application was denied. Therefore, I would not consider her application. *See In re: Jordan*, 00-3006 (La. 12/15/00), 775 So. 2d 1065. Even if I were inclined to consider this new application, the burden of proving rehabilitation rests squarely on petitioner, and she has utterly failed to meet her burden.

Although this court has not squarely addressed rehabilitation's exact meaning in the bar admission context,¹ I believe petitioner should demonstrate the following factors: candor and full disclosure to the Committee on Bar Admissions, a renunciation of her past misconduct, the absence of intervening misconduct, a particularly productive use of her time subsequent to the misconduct, affirmative recommendations from those who know of the misconduct, and restitution, if appropriate. I also believe the burden of proving rehabilitation should be raised in proportion to the seriousness of the conduct.

Applying this view to the instant case, I find that petitioner has provided little in the way of evidence supporting her claim that she is reformed. Instead, her application to this court consists mostly of argument unsupported by any evidence

¹ In fact, there is scant American jurisprudence on the subject of rehabilitation; however, for a discussion of the topic, see *In re Application of Matthews*, 462 A.2d 165 (N.J. 1983), and *In re Application of Cason*, 294 S.E.2d 520 (Ga. 1982).

of positive action and good deeds. There is no evidence that petitioner has made restitution to the victims of her past misconduct in an effort to atone for the harm she caused, nor is there any showing of civic, church, and charitable involvement. Petitioner has submitted no letters of support and recommendation from her employers, friends, and colleagues. On what basis are we to conclude that petitioner is worthy of the trust and confidence clients should expect of their attorneys – or what the public should expect of this noble profession?

On the meager showing made by petitioner, I would deny admission and therefore respectfully dissent.