

SUPREME COURT OF LOUISIANA

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O R D E R

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**GENOVESE, J., dissents and assigns the following reasons:**

I vehemently disagree with and dissent from the Order of this Court dispensing with the taking of the July 2020 written examination (bar exam) by granting a “diploma privilege” solely on the basis of the seriousness and uncertainty of the Coronavirus affecting our nation, as there are alternatives.

Initially, I would like to point out that our Louisiana Supreme Court Rules require the taking and satisfactory completion of a written examination. There is no provision for a dispensation or waiver of said written examination. A significant number of states have opted for an online/remote bar exam which will insure the health and safety of any and all of its bar applicants; yet, this Court, by virtue of granting this “diploma privilege,” has improvidently chosen to waive and forego any testing at all of any and all bar applicants. This means that the class of 2020 gets a free pass and a law license with no bar exam, not even an online/remote one-day bar exam, and is virtually given a license to practice law with no testing at all. This privilege was not afforded the class of 2019 and undoubtedly will not be afforded the class of 2021, or any other class.

This Order labels this free pass as an “emergency admission.” And I ask, “Just what is the emergency?” There are over 22,000 lawyers licensed to practice law in Louisiana, all of which have taken a bar exam and are available for use by the public in general; but now, a majority of this Court will simply allow over 500 bar applicants to be given a license to practice law without any testing under the auspices of an “emergency.” Certainly, there is no shortage of attorneys nor is there any

emergency. The emergency, if any, is not allowing over 500 applicants into the practice of law without testing and a proof of competency. It should also be noted that the statistics show that approximately 25% of bar exam applicants fail the bar exam. That system of checks and balances will not be had. All bar applicants are let in, and over 100 bar applicants will be given a license to practice law when they should not have been. What other professions are allowing a professional license without testing?

Bar exam testing is sacrosanct and should be adhered to in order to insure competency in the practice law and for the protection of the public in general. As stated herein, there is presently available competent online/remote testing presently being used by several other states which, at the very least, should be required before giving out law licenses under the guise of a deemed emergency. I would require, at the very least, a test of some sort, and not a “give-away” license to practice law.