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SUPREME COURT OF LOUISIANA

No. 2020-BA-1341

IN RE: COMMITTEE ON BAR ADMISSIONS CFN-125525

BAR ADMISSION PROCEEDING

WEIMER, C.J., additionally concurring.

Petitioner's death obviously renders the question posed by this writ moot. The motion filed by petitioner's attorney eloquently acknowledges this court lacks jurisdiction over this matter. Nonetheless, petitioner's attorney alternatively asks this court to consider granting petitioner "posthumous admission" to the bar for the benefit of petitioner's family and friends. I am sympathetic to this request and acknowledge the tragic circumstances of petitioner's death only days before a scheduled hearing; however, there is no basis to grant "posthumous admission." Louisiana C.C. art. 428 provides, "An action does not abate on the death of a party. **The only exception to this rule is an action to enforce a right or obligation which is strictly personal.**" (Emphasis added.) Louisiana C.C. art. 1766 provides an obligation is strictly personal "when the performance requires the special skill or qualification of the obligor" By analogy, to the extent the right to be admitted to the bar depends on petitioner's special skills and qualifications, I am convinced the right to be admitted to the bar does not survive his death, making the possibility of posthumous admission legally impossible. Further, such admission can have no practical effect, as petitioner can never fulfill the remaining steps for admission, such as taking the oath. Admission to the bar also creates potential procedural problems, such as whether petitioner's name should be listed on the bar rolls. However, that the

petitioner graduated from law school and passed the bar examination are noteworthy and unalterable accomplishments.