

THE CHARACTER AND FITNESS REQUIREMENT

When you apply for admission to the bar, you must show that you are fit to practice law and have the necessary character to justify the trust and confidence that clients, the public, and the legal system will place in you. Consequently, the Louisiana Supreme Court Committee on Bar Admissions reviews applicants' past conduct to ensure that applicants are honest, trustworthy, diligent and reliable. Conduct that raises concern about the competence, character or fitness of an applicant may cause the Committee on Bar Admissions to investigate further. Consequently, if you have a history of conduct that may indicate a problem, you should seek further information and assistance.

CONDUCT THAT MAY BE CAUSE FOR CONCERN

The Committee on Bar Admissions typically considers the following conduct as cause for further inquiry:

- Unlawful conduct (even conduct you may consider minor – including speeding, underage offenses, alcohol consumption or drug offenses, disorderly conduct and other offenses)
- Academic or employment related misconduct
- Acts involving dishonesty, fraud, deceit or misrepresentation
- Neglect of financial responsibilities or professional obligations
- Violation of a court order (child support, restraining orders or other disobedience of court directives)
- Conduct evidencing mental or emotional instability
- Conduct evidencing drug or alcohol abuse or addiction (open bottle, DWI or underage drinking charges)

These are grounds for further inquiry but do not mean that your application for admission will necessarily be denied. If you have engaged in any conduct of concern, you should seek more information on the character and fitness requirements from one of the resources identified on the back of this pamphlet.

RESOURCES

ADMISSION RULES OF THE STATE OF LOUISIANA:

The Louisiana Supreme Court Committee on Bar Admissions: www.lascba.org

CONFIDENTIAL RESOURCES FOR CHEMICAL ABUSE OR ADDICTION AND MENTAL HEALTH CONCERNS:

Louisiana Lawyers Assistance Program, INC.:
Telephone 1-866-354-9334
www.louisianalap@att.net
[www.lsba.org/lawyers assistance program](http://www.lsba.org/lawyers%20assistance%20program)

ABA Co-Lap: **1-866-LAW-LAPS (529-5277)**
www.abalegalservices.org/colap

ARE YOU FIT TO BE A LAWYER?



Law is a challenging discipline that involves the ability to analyze, reason, and communicate. The study and practice of law is rigorous and often stressful, however, a law degree can open many doors to a rewarding career in business, practice, government, teaching and public service.

THE IMPORTANCE OF HONEST DISCLOSURE

You are entering a profession that holds its members to a standard of utmost honesty that does not permit any exception for a "harmless" lie. We must maintain this high standard because that first little "white lie" is often the forerunner to conduct that is much more egregious.

Law schools require applicants to be completely forthcoming about their backgrounds and to disclose behavior that may have a bearing on their qualification to study law and their character and fitness to become a member of the legal profession. Failure to disclose information on a law school application may have serious consequences including discipline, expulsion and reporting to the Committee on Bar Admissions. Most law schools require verification and ongoing updating of information provided on the law school application. Bar examiners in some states, such as Louisiana, review an applicant's law school application when application is made to the Bar.

Full disclosure is also required by the Committee on Bar Admissions when applying for admission to the Bar. Application questions must be answered honestly and completely. Failure to candidly disclose information is taken seriously and may result in denial of admission, even if the undisclosed conduct would not necessarily have resulted in denial of admission. According to the Committee on Bar Admissions, its most frequent reason for denying bar admission is a finding of a pattern of dishonesty.

SIGNIFICANCE ATTACHED TO PAST BEHAVIOR BY BAR AUTHORITIES

In Louisiana, an applicant's prior conduct is assessed in light of the following factors:

- Applicant's age at the time of the conduct
- Staleness of the conduct and the reliability of the information concerning the conduct
- Seriousness of the conduct
- Cumulative effect of the conduct or information
- Evidence of rehabilitation
- Positive social contributions since the conduct
- Candor in the admissions process
- Materiality of omissions or misrepresentations

ALCOHOL OR DRUG ABUSE, ADDICTION AND MENTAL HEALTH

In Louisiana, the focus of the Bar Admissions inquiry is on conduct and fitness and whether chemical abuse or addiction or a mental health condition impairs the applicant's ability to practice law. The bar application asks whether the applicant has a chemical or mental impairment that currently impairs the ability to practice law (or has in the last two years). Honesty in disclosing impairment is essential. The Committee on Bar Admissions looks more favorably on applicants who have sought treatment than those who have not. The Committee encourages law students who have drug, alcohol or other addiction or mental health issues to address those issues as soon as possible regardless of when the student plans to sit for the bar.

Being dishonest in the bar application process is the biggest mistake an applicant to the bar can make. Serious acts of past misconduct can be resolved through full, open and honest disclosure and a sincere showing of rehabilitation.

The Lawyers Assistance Program, Inc. offers help for:
Alcohol and drug addiction
Depression, anxiety and other mental issues
Compulsive disorders

