

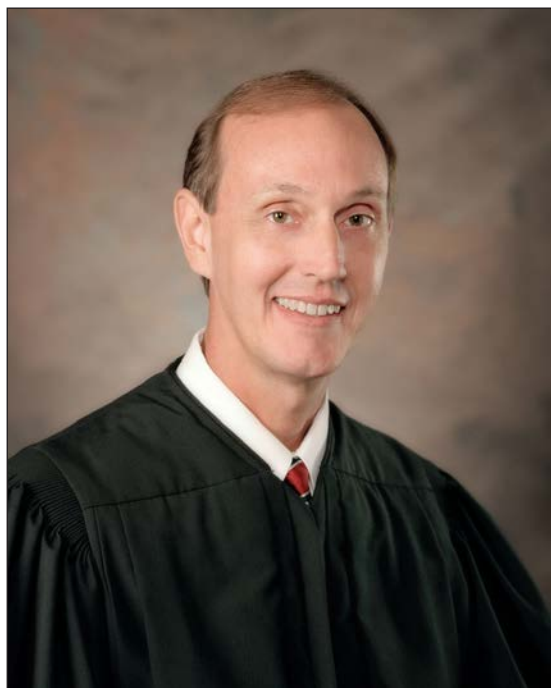


“Highway 20 Church,” a painting by Louisiana Supreme Court Chief Justice John L. Weimer. *Reprinted with artist’s permission.*

Portraits & Perspectives: Louisiana Supreme Court Chief Justice John L. Weimer

The Personal and Professional Sides of the 26th Chief Justice

Interviewed by Patrick A. Talley, Jr.



Louisiana Supreme Court Chief Justice John L. Weimer.
Photo provided by the Louisiana Supreme Court.

Louisiana Supreme Court Chief Justice John L. Weimer — Louisiana's 26th Chief Justice — was sworn in during an Investiture Ceremony on Jan. 7, live-streamed from the Court.

His Supreme Court service began in 2001 when he was elected as the Associate Justice representing District 6, comprised of the parishes of Assumption, Iberia, Lafourche, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin, St. Mary, Terrebonne and a portion of the west bank of Jefferson. In 2002 and again in 2012, he was re-elected to 10-year terms without opposition.

In 1998, he was elected to Louisiana's 1st Circuit Court of Appeal. In 1995, he was elected to serve as a judge in the 17th Judicial District Court and re-elected in 1996 without opposition. He began his judicial career serving as judge pro tempore, Division D, of the 17th Judicial District Court in 1993, following an appointment by the Louisiana Supreme Court.

Prior to taking the bench, Chief Justice Weimer was a full-time faculty member at Nicholls State University, where he taught law and ethics classes for 16 years. He also practiced law in Thibodaux and was certified as a mediator.

Chief Justice Weimer serves as a volunteer in the Thibodaux Volunteer Fire Department, Fire Company No. 1.

An award-winning, self-taught amateur painter whose donated works have raised thousands of dollars for countless charities, Chief Justice Weimer was commissioned to design the posters for the 2005 and 2007 International Grand Isle Tarpon Rodeo. His paintings have also appeared on the cover of the Louisiana Bar Journal and were displayed in an exhibit at the Historic New Orleans Collection.

Born and raised in Lafourche Parish, Chief Justice Weimer graduated from Thibodaux High School and was an academic honors and Hall of Fame graduate of Nicholls State University, where he twice served as student body president. He received his JD degree from Louisiana State University Paul M. Hebert Law Center.

He is married to Penny Hymel, a former elementary school teacher, who was born and raised in the River Parishes. They are the parents of three daughters — Jacqueline, Katherine, and Emily.

Talley: Chief Justice Weimer, you have served the Louisiana judiciary with distinction and honor for over 25 years now. In doing so, you've exemplified judicial excellence and integrity at the highest level. Now, after having served 20 years as a Justice on the Supreme Court, you were sworn in on January 7, 2021, as the 26th Chief Justice of the Louisiana Supreme Court. How does that make you feel?

Chief Justice Weimer: Pat, thank you for the kind and overly generous words. The first word that comes to mind is, as I said at my investiture, humbled. I understand that this position is one of service.

Talley: Because of the COVID situation, you had a different swearing-in ceremony and probably not the type that was originally planned. How was the ceremony?

Chief Justice Weimer: We were planning to have a ceremony to which the public would have been invited at Nicholls State University. Dr. Jay Clune, the Nicholls president, and I had made some preliminary plans to make the ceremony live and also virtual all over the campus of Nicholls, so anybody who wanted to come, from any walk of life, any background, could attend. When I first took the bench on the Supreme Court, the ceremony was at Nicholls and the crowd was so large it filled an auditorium and there were hundreds of people viewing the ceremony on TV screens. But, once COVID hit, this ceremony went through probably six or seven plans that had to change constantly because the restrictions kept being altered. Even within the week before the ceremony, we were making changes. The day of the ceremony began as a working day, with the Justices meeting with the Governor to discuss matters of mutual interest. My brother firemen from Thibodaux told me they were coming to the ceremony, whether invited or not. When we walked into the courthouse, they formed an Honor Guard in front of the building. Of course, I had to have a few words with them and that was a wonderful part of the ceremony. The Governor also addressed them.



Louisiana Supreme Court Chief Justice John L. Weimer was sworn in by his brother-in-law Danny M. Cavell, with his wife Penny Hymel Weimer holding the Bible while his daughters, Jacqueline Weimer Sanchez, Katherine Weimer Daigle and Emily Weimer look on. Photo provided by the Louisiana Supreme Court.

Thibodaux has, reputedly, the world's largest all-volunteer fire department, which is also one of the most professional fire departments in the world, despite the fact that it is all-volunteer. Based on the calls, notes and texts that I've received, the ceremony contrasted vividly with the events in Washington, D.C., the day before (Jan. 6) when the U.S. Capitol was under siege. Many people said that watching the ceremony — with the Governor present, with the Attorney General present, with the Senate President present, with the House Speaker Pro Tem present, with first responders present, and with the President of the Louisiana State Bar Association present — restored their faith in our system of government. In Louisiana, in the midst of a global pandemic, all three branches of government were represented and everyone spoke eloquently, not about me, but about our system of government. Many people said that was reassuring to them.

Talley: As the Secretary of the LSBA, it's also my honor to be the editor of the *Louisiana Bar Journal* and to be able to do this interview of you on behalf of the *Journal* as you begin your tenure as Chief Justice. We thank you very much

for taking time out of your schedule to talk to us today. First of all, let me ask you a few questions about early in your career before you became a judge. You grew up in Thibodaux, Louisiana, a quintessential south Louisiana town. What was it like growing up in Thibodaux?

Chief Justice Weimer: In my estimation, Thibodaux is a wonderful community to grow up in. There are so many opportunities here for the chance to work, for the chance to hunt and fish. The people are gregarious and have a sense of community and respect for one another. I had a typical childhood by contemporary standards. My mother passed away when I was young, leaving my father with a service station to run and five kids to raise on his own. So, I know what it's like to grow up in what, unfortunately, these days is a typical family setting — a single parent and grandparents helping raise the children. It's often said that it takes a community to raise a child. There were so many teachers and people I met along the way who decided I needed some additional mothering. One was my fourth grade teacher, Sherry Trosclair. I found out decades later that she drove by our house just to make sure we were in at dusk. Her affection and kindness carried me throughout that tragic time and



Louisiana Supreme Court Chief Justice John L. Weimer. Photo by Matthew Hinton Photography.

for many decades thereafter. I worked with Richard Melancon, who was a washing machine repairman, and at noon — and this was when I was in college — he'd take me to lunch with him, and his wife, Gloria, would cook a wonderful meal for us. Occasionally, that was the only meal I'd get. She always made sure I had something extra to take home, which, but for that, I might not have eaten supper, either. It was just the way it was. I'm not suggesting we had a terrible childhood. That wasn't the case. So many family members and others stepped up to help and to extend kindness to us. That has always resonated with me.

Talley: You were fortunate to have that type of community to grow up in,

especially losing your Mom. No one can replace your Mom, but having that community there for you was obviously very important. So you hung around in Thibodaux and went to college at Nicholls. Why did you decide to stay in Thibodaux for college and how did your years at Nicholls impact and influence your life?

Chief Justice Weimer: Well, given my less-than-stellar high school career, my option was Nicholls or nowhere. I was not going to get a scholarship anywhere. About my only accomplishment in high school was to be chosen "Class Wittiest." A teacher told me, correctly, that wit implies some degree of intellect and I "demonstrated none of that during [my] entire career at Thibodaux High School. A more appropriate title for

what you've done here is class something else that rhymes with class and consists of the last three letters of class." All I could do was laugh because that summed me up in high school. In my defense, though, my father was trying to raise five kids and run a business. We went to work as kids and worked in his service station and grew up in the service station. He insisted that we work; school was optional. I was able to borrow a bicycle from one of my siblings and that's how I got to college because I was just 17 when I started and didn't have any other transportation. I was working with the washing machine repairman so I'd show up at school filthy, greasy and badly in need of a haircut. Looking back on that, I must have been a frightening sight, as riding a bicycle back and forth across town a couple of times a day was not conducive to looking proper for attending college.

Attending Nicholls was a life-changing experience. It was there that I developed many lifelong friends, who are so critically important to me and to any success I have had. Unfortunately, just yesterday, one of these individuals passed away. Tim Barbier was an absolutely brilliant attorney from Assumption Parish and a very dear friend. He is typical of the people I got to know and learn from and were influenced by at Nicholls, people like Chris Riviere, John Perry, who's one of the state's outstanding mediators, and Jimmy Dagate, who's no longer with us. Jimmy was so prominent in his community that a floodgate bears his name, known in the lower regions of South Terrebonne as "Da Gate." People like Billy Stark, Brian Chiasson, Randy Cheramie, Danny Cavell, Jerry Herman, Roy Willis and Mark Rhodes were all at Nicholls at the same time. Most of us became attorneys about the same time and what an absolutely brilliant cast of characters to be surrounded by and to learn from.

I arrived at Nicholls with about a seventh-grade education, by my calculations. I went to Catholic school and did well in school. High school was a blur with work and other life circumstances, including my father getting sick and having to close his business and leaving

us somewhat destitute. But, I decided to devote myself to my education once I got to Nicholls because I was paying for it. Working four days on a rig or a boat was enough to earn money for tuition, which cost \$150 a semester. We were paid \$40 a day. A group of us would load up in my old '56 Chevy, go down Bayou Lafourche and get hired. If you had a pulse and could draw a breath of air, you were hired back then. We were able to work our way through school by signing up for shifts of 30-35 days straight. Young people today don't have that opportunity. They have to go into debt. We could pay as we went if you were willing to work.

I met my wife at Nicholls. My daughters went to Nicholls to take at least one class. Two of them graduated from Nicholls. I taught at Nicholls for 16 years and practiced law at the same time. The university means a great deal to me. Nicholls has the highest rate of first-generation college students and is justifiably proud of that. Nicholls is a beacon of hope for people throughout this area. I didn't mean to do a promo for Nicholls, but it really impacted my life in so many positive ways.

Talley: After graduating from Nicholls, you left the small town of Thibodaux and went to the "big city" of Baton Rouge where you attended law school at LSU and graduated in 1980. I actually started LSU Law in the fall of 1979. So I would have been a freshman during your last year in law school. We didn't know each other at the time, but I'm sure we passed each other between classes or maybe in the library, or more likely at the Cotton Club or another local watering hole. Looking back on your law school days, tell us why you decided to attend law school.

Chief Justice Weimer: The skills I uncovered and developed at Nicholls, I thought, were similar to the skills needed to practice law. I don't believe I spent any time in any watering holes. I'm not admitting to it. I'm not suggesting it didn't happen. I was more of a Brass Rail kind of guy. I went to law school and also worked. I think the only photographic evidence of me being in law



Louisiana Supreme Court Chief Justice John L. Weimer with his wife and daughters. From left, his daughter Emily Weimer; his wife Penny Hymel Weimer; Chief Justice Weimer; his daughter Jacqueline Weimer Sanchez; and his daughter Katherine Weimer Daigle. Photo provided by the Weimer Family.

school is a picture of me as a member of a club known as "Women in Law."

Talley: How did your experiences at LSU Law Center impact you later when you became a judge?

Chief Justice Weimer: I developed many lifelong friends and I was taught by some brilliant teachers, such as Frank Maraist, Paul Baier, Alston Johnson, Mike Rubin, and the late Cheney Joseph and Bill Crawford. Their scholarship and the scholarship of Alaine Levasseur has been an influence on me as a judge. Most of those friendships were developed after law school. The teachers and so many of my classmates had a positive impact on my life, which has served me as a judge. I had to work my way through law school and that was a challenge, but it taught me discipline. I bought a trailer from some people from a small community just outside of Thibodaux for \$150 and moved it into Baton Rouge. I think it cost a little bit more to move it than it cost to buy it. None of the windows functioned and it didn't have a heater. It had some semblance of an air conditioner. I lived next door to Charlie Riddle, who became the District Attorney in Avoyelles Parish. He sent me a note that said, "I guess you are no longer known as trailer trash." I said, "No, it's a badge I continue to wear proudly." Charlie and I could have a conversation without opening our windows. The trailers

were dilapidated, the insulation was non-existent, and we could not open the windows anyway. Charlie has remained a very dear friend. Living there taught humility and to be grateful.

Talley: Tell us about your early career as a lawyer in Thibodaux before you became a judge. I know that, after you graduated from law school, you began to work as an attorney for Congressman Billy Tauzin and you settled back down in Thibodaux. Was that satisfying for you in terms of your career opportunities?

Chief Justice Weimer: Oh, absolutely. All the attorneys knew one another. All the attorneys respected one another, and what we refer to now as professionalism was practiced by everyone. There were so many really good, talented, honest, honorable attorneys in this region that set a shining example for how you should conduct yourself during your career. As an attorney, I had the good fortune of working with Randy Parro and Jerald Block after Billy was elected to Congress. Randy and Jerald, two immensely talented, bright attorneys, were role models for me.

Talley: At this time early in your career, you began teaching at Nicholls. I know from your reputation that you enjoyed teaching. Tell us more about that and why did you leave teaching?



At the 2015 Pro Bono Ceremony reception, Louisiana Supreme Court Chief Justice John L. Weimer speaks with Louisiana State Bar Association Executive Director Loretta Larsen. Photo by Matthew Hinton Photography.

Chief Justice Weimer: As with most things, it's a convoluted story. But let me just say that I began teaching almost as soon as I got out of law school. I taught banking law to the banking community through the American Institute of Banking. I also was invited to teach a business law class at Nicholls. I taught everything from abandoned property through zoning, including criminal law, tort law and constitutional law. Eventually, I was able to transition into full-time teaching and a part-time practice. I did consulting work for other attorneys. I had the opportunity to work with Lloyd Bourgeois, another really bright attorney. He and I made a good team because I liked to research and write and Lloyd was a man of action. Teaching was something that I thoroughly enjoyed. At that time, things were really going well in my career. However, I received a call from Randy Parro, who had just been elected to the Court of Appeal, and he asked me if I would allow him to submit my name to the Supreme Court for an appointment as a District Judge pro tempore. I told him no because I was very content with my life. A couple of days later, he called back and insisted. I got drafted. Becoming a judge was something I had absolutely never, ever remotely considered. Justice Harry Lemmon was responsible for making the appointment. Of course, I ended up not taking Justice

Lemmon's place, but eventually filling the position he held when he retired. On the Court at that time were six other justices, three of whom were Pascal Calogero, Kitty Kimball and Bernette Johnson. My appointment was approved by individuals who I would later join on the Court and who preceded me as Chief Justice.

Talley: Sounds like "destiny." Having Judge Parro on one side of you and Justice Lemmon on the other side, you didn't really have a choice.

Chief Justice Weimer: I don't know about destiny, but my career has moved through fate and circumstances that are beyond my limited ability to comprehend. I appreciate so many people who have nudged me along in my life to places that I never thought I would be. I feel very fortunate.

Talley: You served as a district judge, elected in 1995 to the 17th Judicial District. Then you served on the 1st Circuit Court of Appeal, elected to that position in 1998. What stands out about your years as a judge before you became a Justice on the Supreme Court? What challenges did you face as a judge during that time that shaped your judicial philosophy?

Chief Justice Weimer: What stands out most are the people who I had the opportunity to either work with or en-

counter. When I say work with, I also include the judges and the attorneys who came before me, so many brilliant, competent, talented, dedicated, diligent attorneys who I got to know through my service as a judge. I continue to hold these people in high esteem. Even the litigants who came before me are people I vividly remember. I had an experience one day while walking into a local grocery store. A lady was looking at me very carefully. She asked, "You da judge?" I responded, "I am a judge." She proceeded to tell me that she appeared in court when I was a District Judge. I said to myself, this conversation is not going in the right direction. Then she advised she was a defendant and the district attorney wanted to put her in jail. She related that I told her she deserved to go to jail because of her record. But, instead, I was going to give her the keys to the jail. I was going to give her another opportunity because I thought she was better than what her record indicated. I had just been involved in starting a Drug and Treatment Court Program with Judge John Erny in Lafourche Parish. She ended up graduating from the program and never went back to jail. That was 20 some odd years ago, she said. I asked her if I could give her a hug. She responded, "You're gonna make me cry." I told her, "You've made my day." I'm still involved in the Drug and Treatment Court Programs, Re-entry Courts, Family Preservation Courts and Veterans Courts throughout the state. The encounter with the lady outside the grocery store really meant a lot to me and touched me immensely.

Talley: That's an amazing story. It really is a tribute to judges like you who, without your involvement and caring interest in initiatives like the drug courts, we wouldn't have those courts today.

Chief Justice Weimer: Let me say there are so many people who have done so much to build those courts into the outstanding programs they are today. All the staff members have been wonderful as well, and the Legislature has been kind enough to support the programs. We need the Legislature's continued support. But I don't want to take

more credit than I deserve. The lady I met outside the grocery store became a productive citizen and was so proud of her accomplishments. I remember she told me, "I ain't been in no trouble since." Despite the double negative, I knew exactly what she meant.

Talley: Jumping now to your tenure on the Supreme Court. You mentioned the impact that Justice Lemmon had on you. One thing you didn't mention is that you almost didn't make the deadline to qualify to run in that election. I don't know if that's true or not, but that's what I heard.

Chief Justice Weimer: That incident has been previously recorded in a *Louisiana Bar Journal* interview with Anthony DiLeo. Randy Parro has a version. But, yes, it is a true story. I'll give you the abridged version. At about 3:30 the afternoon qualifying closed, I was at my office working on some opinions. I was on the Court of Appeal, and Randy and my wife called, literally, simultaneously, which was unplanned. They suggested I should run for the Supreme Court. I had not seriously considered running because my colleague on the 1st Circuit, Judge Vanessa Guidry-Whipple — now Chief Judge Whipple — was already in the race and she is from Terrebonne Parish. That week, she decided not to run for health reasons, which are all now far behind her. So, Randy and my wife and I began a journey to Baton Rouge. In route, we encountered an accident on the Interstate, which delayed our progress. When we arrived at the Secretary of State's Office, the door was closed and the curtain was drawn, and my wife knocked on the door and someone peeked through the curtain. Then a debate ensued about what time it was while the door remained locked. The staff member indicated it depended on what time was on the computer because her watch said 5:30. She had to reboot the computer, which reflected three minutes before qualifying ended. My wife handed over the qualifying fee and I was in the race.

Talley: Wow. I'm glad you didn't have a flat tire on the way. It could have

changed things dramatically.

Chief Justice Weimer: That accident on the Interstate further complicated things, but Judge Parro smoothly got us through.

Talley: You don't normally attribute things to destiny, but it sounds to me like there's a lot of destiny that's involved in where you are today. That's just part of the story. Now, I understand that you had to run for reelection just a year later. Why was that?

Chief Justice Weimer: Justices serve a 10-year term, but Justice Lemmon retired a year early to provide an opportunity for people such as Judge Whipple and Tom Daley and myself, who were all appellate court judges and would have had to decide whether or not to run for the Supreme Court or run for reelection for the Court of Appeal. So, he made the sacrifice, which was something that was always a part of his makeup, to provide an opportunity for more judges to run for the position. I ended up being elected and having to turn right around and run for the position that I held. I was very fortunate not to have anybody seek the office at the same time. I don't talk about opponents, by the way. I don't look at anybody I've ever been in an election with as an opponent. They were, by and large, very talented people who were offering themselves for public service. It just happened to be at the same time I sought the same office.

Talley: You've been in several judicial campaigns over the years. We obviously have elected judges in Louisiana, which means that people have to campaign for the office. Do you think that's a good or bad thing having to campaign and ask for money and does that adversely impact on the fairness of our judicial system, in your opinion?

Chief Justice Weimer: Short answer? No, it does not. But let me point out that a judge who is running for office cannot ethically ask anyone for money. Any funds that a judge raises must be solicited by a campaign committee. The judge cannot, in any way, ask anyone for contributions and be within the bounds



Chief Justice John L. Weimer and wife Penny at the LSU Alumni party during the 2002 Annual Meeting in Destin, Fla. Photo by Louisiana State Bar Association archives.

of the ethical rules. I believe if someone is going to sit in judgment of my life, my liberty and my right to own property, I would prefer to have a direct say in who that individual is. It's the responsibility of the citizens to study the candidates and make wise and prudent choices. I believe, more often than not, that the people make the right choice. There is also a suggestion that we change to a system of appointed judges. But the proponents don't call the system that. It's referred to as merit selection. I have talked to people across the country and to people with the National Judicial College. I've asked, if you meet judges and work with them, do you find that those who are appointed have more merit than those who are elected? Everyone answered: "I can detect no distinction." There are judges who were appointed that lack merit. There are judges who are elected that lack merit. But they are few and far between.

Talley: You've been on the Supreme Court now for 20 years. Two decades is a long time. Tell us about your career on the Supreme Court. How have you seen the judiciary change during this time?

Chief Justice Weimer: I've had the opportunity to work with a number of justices, including pro tempore and ad



At the 2015 (left) and 2014 (right) Annual Meetings in Destin, Fla. Chief Justice John L. Weimer takes time to network with colleagues during various events. Photos by Matthew Hinton Photography.

hoc justices, because occasionally we are called on to recuse ourselves for various reasons. All of them are much brighter and more learned and talented than I am. And it is much like when I got to Nicholls. I'm blessed to be surrounded by very bright, talented and engaged people who want to do what is right for the right reason. From that standpoint, my career has been very educational. When I got to the Court, one of my law clerks handed me a placard that said, "I am still learning. — Michelangelo." Supposedly, it was written near the end of his career. I still feel like I'm being taught and I'm still learning and I'll continue to learn.

Getting to your question about the way things have changed. Technology has really been coming to the forefront in so many different ways, including research and the way we're conducting court. I'm proud to say that, although some courthouses closed during the pandemic, there have been no courts that closed, and judges have accomplished amazing transformations to ensure access to justice. The Court created a Technology Commission and is attempting to bring all of the courts in Louisiana up to a certain level of technology. I had a judge, a friend of mine, call me and use some rather choice words about his ability to conduct a

Zoom hearing. I told him he had to do it. About three weeks later, he called me, not to apologize, but to inform me that he did not want the Court to end Zoom hearings. He had apparently learned in a brief amount of time how to operate the system and told me how much more productive it had made his court.

Talley: I feel the same way and I've had similar conversations. But, as a practitioner, it has actually enabled us to practice in a productive manner.

Chief Justice Weimer: It's going to remain a part of our system of justice because of the efficiencies. But when something is gained, something is lost. The Supreme Court has been holding remote meetings for many years because of the travel involved with our Justices from all parts of the state. We were able to seamlessly change to doing matters remotely. What is gained is the time otherwise spent in commuting, but what is lost is the personal interaction, which I think is so critical and so important. We're social beings, but we're faced with social distancing and that's a challenge.

Talley: As a litigation attorney, part of the enjoyment of practicing litigation is just hanging out in the courthouses, being there before the hearings start and

interacting with everyone. I like the way you said that we don't really have opponents. We have people on the other side. Being able to interact with your colleagues and talking to them in the hallways, that's a big part of practicing law. That's what is missing today.

Chief Justice Weimer: I agree. People learn so much from others and those opportunities are precious. The people who I named earlier who I had the opportunity to be with at Nicholls taught me so much in so many ways and influenced my life so greatly and then pushed and shoved and tugged me along to do other things that I never thought I could accomplish. But, you're right. The social interaction, being with people, is something that is terribly missed at this point in time due to the pandemic.

Talley: You mentioned Zoom in terms of changing the way the court proceedings are handled today. In your tenure as the Chief Justice, are there any other changes we can expect to see in the way the court handles its proceedings?

Chief Justice Weimer: We're constantly tweaking matters to be more effective and more efficient. We're planning to roll out technology across the state to assist rural courts. We have some pilot programs that are being launched

for dispute resolution in small claims. We can anticipate those experimental and pilot programs to possibly become part of what we do on a daily basis in the future. A number of technology-driven efforts are being made and Louisiana probably has the preeminent technologically accomplished judge in the nation, Judge Scott Schlegel from Jefferson Parish. He's chairing the Technology Commission. He has many wonderful ideas that he has implemented and he wants to share those with all the judges. The Supreme Court is working with him to accomplish that.

Talley: Having served as an officer of the Louisiana State Bar Association, I know firsthand the importance of the relationship between the Court and the LSBA. Tell us about the relationship between the Court and the LSBA while you've been on the Court and how do you envision the relationship in the next few years while you're Chief Justice?

Chief Justice Weimer: The first two words that come to mind are mutual respect. The Court respects the Bar and its members, and I believe the Bar and its members respect the Court. We have an excellent relationship. When I took the oath, I reached out to the current LSBA President Alainna Mire and asked her to speak at my investiture. I invited, with a personal letter, all of the past Bar presidents to view the ceremony virtually. I looked at the list of past presidents and started checking off those I wanted to invite. Halfway through the list, I looked down and realized every name was being checked. It's an arduous task to serve as LSBA president and I have respect for all of the past presidents as lawyers and people. I consider all of them friends after having worked with them. The LSBA has been so immensely willing to help the Court. Of course, Bar members administer the Bar exam through the Committee on Bar Admissions. Recently, in two programs out of many, we honored lawyers who perform pro bono work. Shortly thereafter, we had a meeting with the Bar Foundation. I have said repeatedly that these are two shining stars in the le-

gal universe. The lawyers involved are giving their treasure — their time and their talents. The public doesn't really understand how many lawyers are doing so many things on so many boards and commissions and donating services to indigent people throughout our state on a daily basis. I'm so very proud of those accomplishments. I believe our relationship is envied by many states where such a relationship doesn't exist. It's so natural here for us to get along. It's hard to believe that it's not like that everywhere.

Talley: I think you hit the nail on the head when you talked about "mutual respect." That's what it takes to have that type of relationship. Let's talk a minute about the newest members of the Bar. In addition to you and I going to law school around the same time, we have another thing in common. We have children who graduated from LSU Law Center in the class of 2020. Tell us about the Supreme Court's role in the dissemination of the July 22, 2020, Order which waived the requirement for the 2020 law school graduates to take and pass the Louisiana Bar exam, which has come to be known as the "diploma privilege." Why was that done and what was the basis for the majority's decision?

Chief Justice Weimer: First, let's address one thing you said, calling it a "diploma privilege." I think that's a derogatory term. It is not a privilege and I'll cover that in a moment. There were many, many hours spent trying to conduct the bar exam during 2020. Lauren Rocha, Deputy Judicial Administrator/General Counsel, devoted every waking moment trying to pull off a bar exam with the help, advice and counsel of the volunteers and staff of the Committee on Bar Admissions. It just became impossible. Even in retrospect, I think the majority of the Court did absolutely the right thing. Recall, the pandemic hit in March, coming as a surprise. The virus kept dictating what could and what couldn't be done. As it turned out, the day that we were to have the live bar exam ended up being one of the peak days for the virus, or close to the peak.

We were not just putting those who were going to take the exam at risk, but we would be putting at risk a whole host of wonderful, dedicated, diligent volunteers who assist in administering the bar exam. So, we were required to pull the plug on the exam again and again. In retrospect, after talking to a number of people who were taking the bar exam, I found out that, because this was so critical to their futures, regardless of what their health condition was like, they would at least have tried to soldier through it. But, what could have occurred was create what is now referred to as a "super spreader" event. There was no choice at that time because of health reasons. We also tried to put the exam together using entities that have given professional exams, but had the prudence to watch a few other states beforehand. Incredibly, the tests were infecting people's computers with viruses, not the COVID virus, but computer viruses. Computers were hacked and they crashed. The systems were overwhelmed. There were difficulties around the state regarding connectivity. Bar members stepped up, saying, "Come to my office. I've got good connections here." Law firms all over the state offered their offices. Unfortunately, technology had not advanced sufficiently and the plan to administer the exam using companies experienced in giving professional exams fell apart, too. Consequently, we were left with all of these law school graduates whose lives have been put on hold and who had gone through a challenging experience their last semester in school, having to be interrupted by the pandemic and having to figure out how to proceed remotely. They had diligently prepared for the exam. Then, superimpose that on all the anxiety, difficulties and challenges these individuals were encountering in trying to graduate and start a career, raising families, and going to work and/or losing jobs. It was a terrible and unprecedented set of circumstances to navigate for these graduates.

The debate on all those issues was obviously robust among the Justices. The vote was a 4-3 decision. I believe



At the 2016 Pro Bono Ceremony held at the Louisiana Supreme Court, Chief Justice John L. Weimer acknowledges the recipients of the awards and their accomplishments. Photo by Matthew Hinton Photography.

an article you wrote for the *Bar Journal* artfully addressed this situation well. I commend you for having the courage to write that. The Order set sufficient guard rails, in my estimation, with the mentoring program. Again, the Bar stepped up to assist and extra CLE was required.

Let me just point out that anyone who knows me and anyone who knows my daughter would absolutely know that my vote was not based on trying to assist her in any way. I don't care if people say anything about me. I'll tell you this, if what people say is true, I'll be the first to admit it. I am burdened with all manner of human frailties and I'm working to overcome them.

My daughter and I never conferred about the bar exam. Here is a young lady who has been independent and self-sufficient since the day she came home from the hospital. She graduated with honors from high school and paid her way through college with scholarships and by working. She has a degree with honors in English. She has a master's degree. She taught high school English and was recognized for her teaching skills. She wrote for a magazine and

won honors for her writing skills. She went to law school under her married name and never volunteered the information of who her father is to any of her teachers. I presented a professionalism address through the Bar Association at the LSU Law Center orientation. She called me when she found out and said, "I don't want you to mention me in your remarks. I don't want you to acknowledge me if we pass in the hallway. I'm doing this on my own." She didn't tell me she was applying to go to law school until she was accepted. It's not that we don't have a very loving, close relationship, but she has earned the right to make her own decisions. She paid her way through school to earn three degrees because that's how she insisted it would be. She and her husband were expecting their first child when law school exams began. The baby was past due. She could have gotten out of taking exams, but she said, "Well, if he's not here, I'm going to get this exam out of the way. He can join us later." The baby decided to join her in the middle of an exam. She sat there and she finished the exam. Then she delivered a beauti-

ful baby boy. She and her husband have been absolutely wonderful parents. Is that a young lady who is going to have a problem with the bar exam? My view is that I didn't vote to provide anyone a "diploma privilege." They were presented with an immensely difficult and challenging decision to make at a very difficult time of uncertainty. Do you sit for the exam and take those risks, or do you not sit for the exam and take some equally difficult risks as to how people in a job market, that was abysmal, are going to view what you did and didn't do? That's where I think the people who were critical of this did those individuals a disservice. It was the right thing to do, given all that was transpiring at that time.

Talley: I thank you for taking the time to explain that because I think it's important for people to understand, particularly the critics of the decision who call it the so-called "diploma privilege."

Chief Justice Weimer: You know what disappoints me more than anything in the whole wide world? Criticize me for my decision. Please, make me a better person if I'm doing something wrong by pointing out my imperfections. But to drag my daughter's name through this, after what she accomplished on her own without me? Her response to being named was disappointment that people said what they did about me because she knows me better than any of my critics. I told my children repeatedly growing up, the only thing you get out of me being a judge is your name on the front page of a newspaper if you make a mistake. And guess what happens? She ends up on the front page, not because of anything she did, but because of something her father did.

Talley: I think sometimes we forget how important that last semester of law school was for us to be there, to interact with our classmates and our professors, and just to have the opportunity to say goodbye.

Chief Justice Weimer: And plan your future career path.

Talley: They were totally disrupted having to go into a remote environment.

Chief Justice Weimer: And some are going to call what they got a “privilege”? Waiving the bar exam was not unprecedented — it was done for Korean War Veterans also.

Talley: What would your advice be to these young lawyers who are just beginning their careers without having taken the Bar exam?

Chief Justice Weimer: Conduct yourself with honesty, integrity and professionalism. There are no short cuts in life. Time on task is important. Don’t be seduced by power, prestige or pecuniary rewards. Give back as much as you are given. Learn the miracle of compounding, which was mentioned by Benjamin Franklin. If one saves a few dollars early in a career and invests prudently, the money will grow exponentially and bring great rewards as you go through life, which will give you the freedom to do things that you ordinarily wouldn’t have the freedom to do.

Talley: That’s good advice.

Chief Justice Weimer: I’ve had the good fortune to have, as a result of my law degree, four separate and distinct careers as an attorney, as a mediator, as a teacher, and as a judge. So a law degree is invaluable if you deploy it in the proper manner.

Talley: I don’t want to get into comparisons between Chiefs of the Supreme Court, but you follow Bernette Joshua Johnson, who is practically a legend in her own time. What’s it like to follow her as Chief Justice?

Chief Justice Weimer: Everyone knows that Chief Justice Johnson was a trail blazer and that she achieved so many firsts. She is also an outstanding daughter, who still cares for her mother, and an outstanding mother, who cares for her daughter and her son and her grandchildren. As I said about Harry Lemmon when I was elected to serve on the Supreme Court, I will say the same thing about Chief Justice Johnson. No one can take her place, but someone must fill the position.

Talley: Well said. As Chief Justice of the Supreme Court, there’s a certain amount of behind-the-scenes work going on that we don’t see present in the courtroom. What does the Court staff do to move things along and help you operate efficiently?

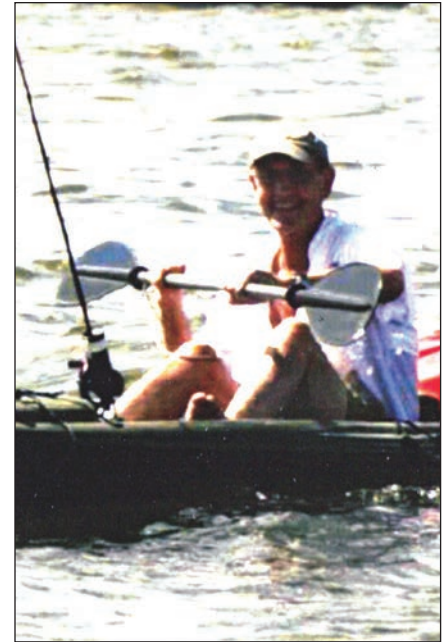
Chief Justice Weimer: Right now, they’re working 24/7 and I am blessed to have a remarkable staff. We are staffed by a number of bright, talented, diligent and dedicated people. To name names would result in me leaving names out. They work very hard and are true professionals, who have a loyalty to our system of justice. I’m so grateful and appreciative of their talent, skill and buy-in because, ultimately, I believe that all of us are public servants. In my remarks at my investiture, I quoted scripture. God offered Solomon whatever he wanted. Solomon wisely stated, “Give your servant an understanding heart.” I believe that’s what the Justices and the employees all believe in, as did Solomon. We hope to have an understanding heart and to be wise and prudent in managing our system of justice.

Talley: As we conclude the interview, I want to ask you a little bit about yourself, not as a judge but as a person. Who is John Weimer? I think, quite frankly, that’s going to be a redundant question because it comes through and clear in this interview who you are as a person.

Chief Justice Weimer: I would suggest that’s overly generous. I’m nobody special, Pat. Let me acknowledge that.

Talley: You mentioned your family earlier. Tell us more about your family.

Chief Justice Weimer: I’m married to an absolutely wonderful, devoted, talented wife who is one of the finest cooks and seamstresses I know. We met when I was about to start building a house and getting out of the trailers I had lived in since I left home, which ended up being our home. I built a house and she made it a home. We have been blessed to have three daughters, all three earned scholarships through school and all of them have advanced degrees. My oldest daughter has an advanced degree in



At the Ride the Bull Kayak fishing tournament, Caminada Pass, Grand Isle in 2015. Photo provided by the Weimer Family.

education and a law degree. My middle daughter is a physician’s assistant, who could have gone to medical school because she had all of the appropriate grades and test scores. She works with a brilliant physician. Those two daughters had academic scholarships. My youngest daughter had an athletic scholarship and played collegiate sports. She was the first person to ever play four years at Nicholls in volleyball and start every match. She had extra eligibility left because she graduated in four years and she played for the first sand volleyball team at Nicholls. Again, she started every match. She holds the school record for the highest kill percentage in the history of the program. As a starting middle blocker, she stands 5 foot 9. For four years, she was the shortest starting middle blocker in the conference in which she played. In high school, she was a sixth-time, All-State athlete and could have gone to college to play basketball or run track.

Talley: Does she get her basketball skills from you?

Chief Justice Weimer: No, sir. She’s better than me. Her skills came from hard work and dedication. My prayer



A lifelong motorcycle enthusiast, John L. Weimer at the Bonnet Carre Spillway circa 1977. Photo provided by the Weimer Family.



In 2019, Justice John L. Weimer took a solo ride to Sturgis, SD, for the Black Hills motorcycle rally. Photo provided by the Weimer Family.

for everyone is their family be as much of a blessing to them as my wife and my three daughters have been to me.

Talley: It sounds like you have a fabulous family and a remarkable wife who would stay with you, despite those trailers.

Chief Justice Weimer: Well, she never set foot in any of them.

Talley: I'm not sure I blame her.

Chief Justice Weimer: No, I don't either.

Talley: I know you have some hobbies. You've mentioned motorcycles, and I know you play basketball a little bit with some of your buddies. You are also quite an accomplished painter. You probably won't admit that you're accomplished, but you really are. I particularly am fond of the painting that you did called "Laurel Valley Home on the Misty Morn, Thibodaux, Louisiana." I don't know how you feel about that painting, but tell us about your interest in painting in general.

Chief Justice Weimer: Your tastes for that painting were shared with an organization in South Lafourche. It

was chosen as the "Best in Show." But I didn't think I deserved that award. I think it was more of the subject matter that resonated with the judges than the execution of the painting.

Talley: But it is a beautiful painting, with all due respect.

Chief Justice Weimer: Thank you very much. It's obvious to anyone who views anything I paint that I'm mostly self-taught and never had formal lessons. But going back to Nicholls, during my last semester, I took a painting class. There were some absolutely brilliant artists, people who make a living with their art were in that class. I mostly observed them. Thanks to their kindness and generosity of sharing time and talent with me, I was able to develop some very rudimentary skills. I donate these paintings to various charities throughout the district I serve. Let's not kid ourselves. Many people are buying them, not for the painting's execution or the person who paints them, rather the position held by the person who paints them.

Talley: You have been very generous in donating your paintings to support the

fundraising efforts of numerous organizations, including the Bar Association and the Bar Foundation. We very much appreciate your generosity and philanthropy. Your humility comes through when you talk about your accomplishments in painting.

Chief Justice Weimer: I should have humility. There's a number of paintings that never get to be seen by the public. I promise there are many false starts.

Talley: Incidentally, I'm the chair of the Louisiana Bar Foundation's Gala. Of course, we have an auction this spring. And not to say that there's a *quid pro quo* here, but I'm hoping that, as a result of this interview, I can get you to donate a painting to the auction. What do you say? I'm pretty sure that a work of art from the Chief Justice of the Supreme Court will bring us a lot of money.

Chief Justice Weimer: I don't know if my name on a painting is going to mean much. I ask that they be judged on their own merits and considerable demerits. But I already have some set aside for the Bar Foundation.

Talley: We thank you for your generosity with your art and with your time for this interview. One of the things that really weaves through in talking to you is your humility, to achieve everything that you've achieved in life and the giving back that you've done over the years. It's very understated, but it comes through loud and clear. And it's been an honor for me to do this interview. Quite frankly, I had to smile a few times during the interview. Your wit comes through.

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