

07/17/02“See News Release 056 for any concurrences and/or dissents.”

SUPREME COURT OF LOUISIANA

No. 02-OB-1763

In Re: Appeal of Raphael R. Favre Schnyder

Knoll, J., would grant the petition and assigns reasons.

I would grant petitioner's writ and permit her to sit for the July bar examination. I find petitioner's circumstances unique and distinguishable from the petitioner's circumstances in *In re: Bourke*, 02-1468 (La. 06/14/02), __ So.2d __, in that she attended an accredited law school in Louisiana for the previous two years, anticipating she would be granted permission to sit for the bar examination, whereas the petitioner in *In re: Bourke* was educated at a foreign law school and merely working in this country. Thus, while I agree with this court's holding in *In re: Bourke*, I would not apply the ruling retroactively to this matter. I find refusing petitioner permission to sit for the July bar examination is unduly harsh under these circumstances, not only to her but to the accredited law school where she attended and which recruited her. However, beyond this year's class, I would require all applicants seeking to take the bar examination to satisfy the permanent resident alien requirement and ensure the Louisiana law schools are so advised.