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Monks' casket fight heads back to court

by Ramon Antonio Vargas by The Times Picayune

NEW ORLEANS -- Louisiana's funeral industry isn't ready to give up the fight to preserve its exclusive right to sell caskets.

On Aug. 15, lawyers for the Louisiana Board of Embalmers and Funeral Directors appealed a federal judge's July 21 ruling that allowed a group of Catholic monks to build and sell wooden caskets without meeting the stringent requirements to obtain a license.

Federal Judge Stanwood R. Duval said a state law that restricted casket sales to licensed funeral directors unfairly shielded the funeral industry's monopoly.

Scott Bullock, a lawyer who represents the monks of St. Joseph Abbey near Covington, La., called the funeral board's appeal a "fruitless quest."

"We will continue to represent the monks throughout the appellate process to ensure that this irrational law remains off the books," he said.

The monks are seeking the right to sell handmade cypress funeral boxes, with proceeds going to pay the monks' medical and education expenses. Regulators filed suit, saying only they have the right to sell caskets in the state.

The case now heads to the 5th U.S. Circuit Court of Appeals. If Duval's decision stands, funeral directors could appeal to the U.S. Supreme Court.

[Ramon Antonio Vargas writes for *The Times-Picayune* in New Orleans.]

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