



Louisiana[®]
State Bar
Association

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BOARD OF GOVERNORS

3 p.m. ⌘ Friday, August 22, 2014

9 a.m. ⌘ Saturday, August 23, 2014

New Orleans, LA

*** A C T I O N S ***

FRIDAY, AUGUST 22

President Joseph L. Shea, Jr. called the meeting to order at 3:05 p.m.

1. **Roll Call**

Ms. Larsen called roll and advised that a quorum was present.

2. **Board of Governors Training**

- Access to Justice Overview
Presented by ATJ Policy Committee Chair Marta-Ann Schnabel and ATJ Director Monte T. Mollere
- Understanding Nonprofit Financial Statements
Presented by Treasurer Robert A. Kutcher and Executive Director Loretta Larsen
- Regional Panels and Their Role in Achieving LSBA Mission and Goals
Presented by President Joseph L. Shea, Jr.

The above presentations were made as indicated and the meeting adjourned at 5:40 p.m.

SATURDAY, AUGUST 23

3. **Roll Call**

Ms. Larsen called roll and advised that a quorum was present.

4. **Introduction of Leadership LSBA 2014/2015 Class**

At Mr. Shea's request, members of the Class introduced themselves.

5. **Consent Calendar**

Agenda items which the President believes will not be substantially opposed may be included on the consent calendar. Consideration of the consent calendar must be made a special order and all items on it shall be moved for approval without debate. By request of any Board member, any item on the consent calendar shall be removed and made the subject of discussion and/or debate.

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a. Approval of Minutes

Consideration of approval of minutes from June 2, 2014 meeting of the 2013/2014 Board of Governors and June 6, 2014 meeting of the 2014/2015 Board of Governors, both held in Destin, Florida.

b. Louisiana Center for Law and Civic Education

Periodic report from the LCLCE, as required by the April 2010 cooperative endeavor agreement.

c. Louisiana Board of Legal Specialization

Annual Report from Louisiana Board of Legal Specialization.

Upon motion by Mr. Kutcher and second by Mr. Holoway, the Board unanimously approved the consent calendar without discussion or debate.

Information/Discussion Items

6. Nominating Committee – Joseph L. Shea, Jr.

Report of action of Nominating Committee at its meeting on Friday, August 22.

Mr. Shea reported that the Nominating Committee had nominated Darrel J. Papillion of Baton Rouge to serve as President-Elect for 2015-2016 and Alainna R. Mire of Alexandria to serve as Secretary for 2015-2017.

7. 2014 Combined Annual Meeting/Summer School for Lawyers & Judges – Loretta Larsen and Cheri Cotogno Grodsky

Recap of meetings.

Ms. Larsen and Ms. Grodsky reported that the meeting was a success financially and in terms of programming and attendance. Ms. Larsen advised that 2014 was the first year under the new cost/proceeds sharing agreement with the Louisiana Judicial College and that the College was pleased with the arrangement. Ms. Grodsky reported that speaker costs were lower than in 2013 because we reduced the number of speakers by roughly one-third, from 150 to 100. Finally, Mr. Shea congratulated Robert A. Kutcher, H. Minor Pipes III and Judge Fredericka Homberg Wicker for their exemplary efforts in planning the CLE sessions for attorneys and judges.

8. Day of Service – Joseph L. Shea, Jr. and Monte T. Mollere

Announcement of October 23, 2014 Day of Service, wherein the LSBA will partner with the Louisiana Library Association to highlight the Legal Education and Assistance Program (LEAP), and to have attorneys in libraries across the state to answer questions and provide information on issues of interest to citizens.

Mr. Mollere reviewed plans for the Day of Service Lawyers in Libraries project. Mr. Shea encouraged personal participation by Board members, and advised that the LSBA would be looking to them to assist with placing lawyers in libraries throughout the state.

9. Strategic Plan Update – Joseph L. Shea, Jr. and Loretta Larsen

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Update on progress of plan adopted in August 2011.

Ms. Larsen referred members to the written report and advised that the LSBA had made much progress toward the goals and initiatives adopted in August 2011. She further advised that it might be time for the Board to revisit the plan and develop new initiatives toward the achievement of the goals.

10. Communications Plan – Kelly Wells Ponder

Update on progress of plan adopted in August 2012.

Ms. Ponder briefly reviewed the progress of the plan.

11. Single Billing 2014-2015 Recap – Loretta Larsen

Preliminary report on first year of electronic billing/payment.

Ms. Larsen referred to her written report and advised that there were a number of issues related to the transition to electronic administration of single billing. She advised that many members were dissatisfied, and that they wanted to receive a paper Attorney Registration Statement and be able to pay fees via checks. Ms. Larsen also reported that significantly more members received notices of delinquency than in prior years. She further advised that staff would be sending a series of email messages to those members who were delinquent in an effort to bring them into compliance by the September 9 deadline.

12. Member Outreach and Diversity Initiatives – Tricia R. Pierre

Update on departmental projects.

Ms. Pierre reported on a number of projects and referred members to her written materials.

Action Items

13. Consideration of Any Item(s) Removed from Consent Calendar – Joseph L. Shea, Jr.

Discussion and consideration of item(s) removed from Consent Calendar.

No items were removed from the consent calendar.

14. Mandatory Section Reporting – Joseph L. Shea, Jr.

Consideration of reports and/or budgets filed by sections which were deemed by the Board of Governors (at its June 2014 meeting) to be out of compliance with mandatory reporting requirements.

Mr. Shea reported that the Executive Committee had reviewed the section reports and voted unanimously to recommend to the Board that the Criminal Law and International Law sections be suspended for noncompliance with the annual reporting requirements in Article IX, Section 6 of the LSBA's Bylaws.

Mr. David made the following motion, which was seconded by Mr. Levy:

Be it resolved that the Criminal Law and International Law sections be suspended effective immediately, which suspension will include the

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prohibition of the collection of section dues for 2014-2015, as well as the suspension of the sections' ability to incur any expenses or issue any checks until such time that they comply with Article IX, Section 6 of the LSBA Bylaws and the Board of Governors authorizes the sections to resume their operations.

After some discussion, Mr. Grodsky made the following motion to amend:

Be it resolved that the motion be amended to include notification of noncompliance and suspension to all members of both sections.

Mr. Levy seconded the motion and the Board voted unanimously to approve the amendment.

The Board then voted unanimously to approve the motion as amended.

15. Lawyers Assistance Program – Joseph L. Shea, Jr. and Mark A. Cunningham

Update on efforts regarding LAP and consideration of additional funding.

Mr. Shea and Mr. Cunningham reported to the Board on the reconstitution of the LAP Steering Committee and Board of Directors, as well as the LSBA's efforts to assist LAP with budgeting, financial reporting and development of operating policies. They also discussed the recent settlement between the Department of Justice and the Louisiana Supreme Court regarding mental health disclosures as part of the bar admissions reporting process, and how the elimination of certain questions should significantly reduce LAP's role in monitoring applicants.

16. Personnel Policies – Loretta Larsen

Consideration of updates to personnel policies as proposed by employment counsel.

Ms. Larsen advised that employment counsel had, based on recent case law, recommended a number of changes to the personnel policies related to confidentiality and social networking. After a brief discussion and upon motion by Mr. Leefe and second by Mr. Hayes, the Board unanimously approved the following:

Be it resolved that the amendments to the personnel policies, as set forth in the redline version included in the materials, be approved.

17. Access to Justice Planning – Monte T. Mollere

Consideration of request to fund consultant for Access to Justice planning.

Mr. Mollere reviewed the request for \$15,000 to fund a consultant and hold a statewide meeting for stakeholders. After a brief discussion, Mr. Leefe made the following motion, which was seconded by Mr. Kutcher:

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Be it resolved that the 2014-2015 budget be amended to include \$15,000 to fund the proposal regarding a consultant and a statewide planning meeting.

The Board unanimously approved the motion.

18. Budget Amendment – Robert A. Kutcher

Consideration of allocation of funds to replace Bar Center elevator.

Mr. Kutcher advised that the LSBA had received notification from its elevator maintenance company that the Bar Center elevator was nearing the end of its life and that replacement parts were getting difficult to obtain. After a brief discussion and upon motion by Mr. Kutcher and second by Mr. Levy, the Board unanimously approved the following:

Be it resolved that the 2014-2015 budget be amended to allocate \$50,000 for the replacement of the Bar Center elevator.

19. Member Benefit – Tricia R. Pierre

Consideration of Practical Law member benefit.

Mr. Shea advised that this item was being deferred until the October Board meeting.

Officer and Staff Reports

20. Report of the President – Joseph L. Shea, Jr.

a. Leadership LSBA 2014/2015 Orientation

Mr. Shea reported on the orientation held the morning of August 22, and the Board joined him in a round of applause for the class. He encouraged class members to get involved in other LSBA activities.

b. Law School Professionalism Programs

Mr. Shea reported that the four programs had been held and that all were successful.

c. Committee and Section Chair Orientations

Mr. Shea reported that the orientations were held the morning of August 21, and while participation was low, he thought both meetings went well. He

d. Fall Meeting – The next Board of Governors meeting will be held Saturday, October 18 in Shreveport. Details to follow in early September.

Mr. Shea reported that plans were underway for the October meeting in Shreveport and encouraged all Board members to attend.

e. Other Matters

Mr. Shea advised that the building behind the Louisiana Bar Center was being converted to a hotel and that negotiations were underway regarding the motor court behind the building.

21. Report of the President-Elect – Mark A. Cunningham

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- a. 2015 Combined Annual Meeting/Summer School at Sandestin Golf & Beach Resort
Mr. Cunningham reported that planning had begun for the 2015 meeting and advised that it would include a focus on wellness, tennis and golf tournaments, and more events for children.
 - b. 2015/2016 Board of Governors Orientation
Mr. Cunningham reported that the orientation would be held Wednesday, May 6 through Saturday, May 9 in Dallas, and that it would feature a consultant on communications.
22. **Report of the Secretary – Barry H. Grodsky**
Mr. Grodsky gave an update on the status of the Louisiana Bar Journal, including upcoming themed issues.
23. **Report of the Treasurer – Robert A. Kutcher**
Mr. Kutcher reported that he had just received the preliminary figures for 2014-2015 and that the LSBA had ended the year with a net surplus of roughly \$500,000.
24. **Report of the Immediate Past President – Richard K. Leefe**
Mr. Leefe waived his report.
25. **Report of the Young Lawyers Division Chair – J. Lee Hoffoss, Jr.**
Mr. Hoffoss advised that the YLD Committee Involvement brochure that was mailed to entire YLD membership was a huge success with a lot of positive feedback. The Council Committee Chairs are contacting interested parties to serve of the various committees which will expand the YLD committees and get more young lawyers involved in the LSBA YLD.

He also reported that the Council nominated Scotty Chabert for 2015/2016 Vice Chair and Bradley Tate for 2015/2016 Secretary.

Mr. Lee advised that he is still looking into a Veterans program as a possible initiative. He thanked Mark Cunningham for recruiting two Jones Walker associates to handle coordination of mock trial for the New Orleans region.
26. **Report of the Executive Director – Loretta Larsen**
Ms. Larsen reported that the election cycle would begin on Monday, September 22, with the notice of the action of the Nominating Committee and the call for qualifying for open positions. She also announced the availability of the free LSBA app for both Apple and Android devices, and encouraged all to download it.
27. **Report of the Associate Executive Director – Cheri Cotogno Grodsky**
Ms. Grodsky referred the Board to her written report.

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28. Other Matters

- a. LCJC Board of Trustees – Consideration of appointment of 2014-2015 LCJC Board.

Ms. Larsen advised that in accordance with the Bylaws of the Louisiana Civil Justice Center, it was the LSBA Board of Governors' responsibility to appoint the LCJC Board of Directors. She referred to the Board roster in the materials and noted the officers and the new members which were being proposed, as the Board in 2013 appointed the other members to multiple-year terms.

Upon motion by Mr. Kutcher and second by Mr. Hoffoss, the Board unanimously approved the following:

Be it resolved that the Louisiana Civil Justice Center Board of Trustees be appointed in accordance with the roster as set forth in the LSBA Board's materials.

- b. 2016 and 2017 Annual Meeting/Summer School Site Selection

Ms. Larsen advised that Sandestin Golf & Beach Resort was pushing for signed contracts for the 2016 and 2017 meetings, and noted that the resort was offering a 2% rate increase per year as incentive to sign the contracts. After a brief discussion and upon motion by Mr. Kutcher and second by Mr. Leefe, the Board unanimously approved the following:

Be it resolved that the Executive Director be authorized to sign contracts with Sandestin Golf & Beach Resort for the June 2016 and June 2017, provided that the incentives remain the same and increases are limited to no more than 2% per year.

Adjourn

There being no further business the meeting was adjourned at 11:10 a.m.