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BOARD OF GOVERNORS

**11 a.m. ■ Friday, June 6, 2014
Destin, Florida**

*** ACTIONS ***

President Joseph L. Shea, Jr. called the meeting to order at 11 a.m.

1. **Roll Call**

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

2. **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.

a. Bank Resolutions

Resolutions have been prepared covering all accounts of the Association. These require that all checks be signed (either electronically or physically) by Treasurer Robert A. Kutcher or Assistant Treasurer Loretta Larsen, and countersigned by one of the following persons: Joseph L. Shea, Jr., Mark A. Cunningham, Barry H. Grodsky, David W. Leefe, Patrick A. Talley, John E. McAuliffe, Jr. and Mickey S. deLaup.

b. Presidential Authority

Under the Charter, the President, with the consent of the Board of Governors, may make committee appointments and create committees with acquiescence of Executive Committee and Board of Governors. The Board is requested to grant Mr. Shea the authority to make such appointments as required during his term of office and also to create such special committees and/or task forces he deems necessary and proper with acquiescence of Executive Committee and Board of Governors.

c. Louisiana Center for Law and Civic Education

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

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

Information/Discussion Items

3. **Legislative Positions 2014 – Joseph L. Shea, Jr. and Larry L. Murray**
Review of LSBA 2014 legislative positions and final disposition of relevant bills.
Mr. Shea deferred to Mr. Murray who reviewed the final disposition of all bills on which the LSBA took a position during the 2014 Regular Session.
4. **Insurance Committee Reports – Loretta Larsen**
 - a. Legal Malpractice Insurance Committee
 - b. Group Insurance Committee*Ms. Larsen referred members to the written report on the Legal Malpractice Insurance Committee and advised that there were no recommendations from either committee. She further advised that there was no longer a group health insurance plan, as New York Life exited the marketplace as a result of the Affordable Care Act. She reported that the 2013/2014 Board had approved Gilsbar's Pro-Op Exchange Program, which provided a number of enhanced benefits to those members and firms which continued to purchase health insurance through Gilsbar.*
5. **Lawyers Assistance Program – Joseph L. Shea, Jr.**
Report on efforts regarding LAP funding by LSBA.
Mr. Shea gave the Board some history on the relationship between LSBA and LAP, as well as the Bar's funding of that program. He advised that the 2013/2014 Board had authorized some additional LAP funding to be paid prior to the end of the current fiscal year, provided that LAP was amenable to financial and administrative oversight by the LSBA, while ensuring the ongoing confidentiality of information regarding those assisted by LAP.
6. **Regional Panels – Joseph L. Shea, Jr.**
Discussion regarding appointment of Regional Panels and goals of same.
Mr. Shea advised the Board of his plan to appoint Regional Panels across the state, with Board district representatives chairing those panels. He asked Board members to assist him in identifying volunteers to serve on the panels and referred members to his memorandum for additional information.
7. **Member Outreach and Diversity – Tricia R. Pierre**
Update on departmental projects.
In Ms. Pierre's absence, members were referred to her comprehensive written report.

Action Items

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

Discussion and consideration of item(s) removed from Consent Calendar.
There were no items removed from the consent calendar.

9. **House of Delegates – Joseph L. Shea, Jr.**

Under Article VIII, Section 7 of the Articles of Incorporation of the Association, the Board must act on all resolutions adopted by the House of Delegates at its meeting on Thursday, June 5, 2014.

Mr. Shea advised the Board of its responsibility to review and ratify action of the House of Delegates. Mr. Cunningham moved for approval of all of the action of the House, which motion was seconded by Mr. Grodsky.

There was a lengthy discussion on the House of Delegates' approval of the resolution which would support legislation reducing crimes involving the classification of simple possession of marijuana and its chemical derivatives from a felony to a misdemeanor, with appropriate incremental penalties for habitual offenders.

The question was called and the Board voted to approve the action of the House, with Mr. McAuliffe abstaining.

10. **Appointment of Louisiana Client Assistance Foundation Board – Cheri Cotogno Grodsky**

The Louisiana Client Assistance Foundation proposes the following appointments to its Board of Directors for 2014/2015: President, Frank X. Neuner, Jr.; Vice President, Mark A. Cunningham; Secretary-Treasurer, Charles B. Plattsmier; Trustees – Drew A. Ranier, Joseph L. Shea, Jr., David W. Leefe, Mary Ann Wegmann, A. Anderson Hartiens (lay member), Major Reginald R. Brown, Sr. (lay member) and Lauren A. McHugh, Supreme Court Liaison.

After a brief review by Ms. Grodsky and upon motion by Mr. Grodsky and second by Mr. David, the Board unanimously approved the LCAF Board appointments.

11. **Appointment of Louisiana Center for Law and Civic Education Board – Mark A. Cunningham**

Consideration of 2014-2015 Board of Directors, as per the April 2010 cooperative endeavor agreement.

After a brief review and motion by Mr. Cunningham and second by Mr. Grodsky, the Board unanimously approved the appointment of the LCLCE Board.

12. **Community Action Committee – Kelly Wells Ponder**

Consideration of recommendation from Community Action Committee for new project partnering with 'Ween Dream.

Ms. Ponder reviewed the proposal, and advised that this project could be implemented by local bars across the state. Upon motion by Mr. Kutcher and second by Mr. Grodsky, the Board unanimously approved the Community Action Committee's recommendation to

partner with “Ween Dream.

13. **Election Procedures 2014/2015 – Loretta Larsen**

Consideration of election procedures for 2014/2015.

Ms. Larsen reviewed the proposed election procedures and schedule, advising that elections would continue to be conducted electronically only. Upon motion by Mr. Grodsky and second by Mr. Hoffoss, the Board unanimously approved the election procedures as proposed.

14. **Board of Governors Statements Confirming LSBA Policies – Joseph L. Shea, Jr.**

Board member review, adoption and signing of the following statements:

- a. Antitrust Avoidance
- b. Confidentiality
- c. Conflict of Interest

Mr. Shea reviewed the policy statements. Upon motion by Mr. Kutcher and second by Mr. Church, the Board unanimously approved the statements and they were circulated for signature by each of the members present. Mr. Shea asked staff to secure the signatures of those members not at the meeting.

15. **Consideration of 2014/2015 Budget – Robert A. Kutcher**

Consideration of 2014/2015 budget as recommended by the Budget Committee.

Mr. Kutcher reviewed the proposed budget and advised the Board of the process used to develop the budget. Upon motion by Mr. Leefe and second by Mr. Grodsky, the Board unanimously approved the budget as recommended by the Budget Committee.

16. **Budget Committee – Joseph L. Shea, Jr.**

Election of Board of Governors member to serve a two-year term on the Budget Committee. Term will commence on July 1, 2014 and end on June 30, 2016.

Mr. Shea advised that the Board would need to elect a representative to serve on the Budget Committee for 2014-2016. Upon motion by Mr. Leefe and second by Mr. Grodsky, Ms. deLaup was elected by acclamation.

17. **Louisiana Board of Legal Specialization – Loretta Larsen**

Consideration of recommending to the Louisiana Supreme Court the following appointments to the Louisiana Board of Legal Specialization:

- Appointment of Lisa L. Boudreaux to succeed Vincent A. Saffiotti who has served six consecutive years and is not eligible for reappointment;
- Reappointment of Ronald J. Scalise, Jr., who has served one three-year term and is eligible for reappointment; and
- Reappointment of Thomas Rockwell Willson, who has served one three-year term and is eligible for reappointment.

Ms. Larsen reviewed the proposed appointments with the Board. Upon motion by Mr. David and second by Mr. Cunningham, the Board unanimously approved recommending

to the Supreme Court that the above individuals be appointed to serve the terms indicated.

Reports

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

a. Leadership LSBA 2014/2015

Mr. Shea advised that the deadline for nomination of individuals to the class was Friday, June 13, and encouraged Board members to nominate young lawyers.

b. Committee Appointments

Mr. Shea advised that he was in the process of appointing committees and that this would be completed prior to the end of the month.

c. Committee of the Bars

Mr. Shea reported that he would be creating a Committee of the Bars, which would be chaired by John Frazier of Shreveport. Mr. Shea further advised that the committee would meet primarily via videoconference or phone, and that any in-person meetings would be held in Shreveport.

d. 2014/2015 Board of Governors Meeting Calendar

Mr. Shea referred members to the meeting calendar in their materials.

e. 2014 Midyear Meeting – Thursday, January 15 through Saturday, January 17 at the Hotel InterContinental New Orleans.

Mr. Shea advised that the Midyear Meeting would be held in New Orleans and encouraged all to mark their calendars.

f. 2015 Annual Meeting/Joint Summer School with Louisiana Judicial College at Sandestin Golf & Beach Resort – Sunday, June 7 through Friday, June 12

Mr. Shea announced the dates for the 2015 meeting at Sandestin and encouraged all to mark their calendars and plan to attend. He also encouraged members to share with him any suggestions for enhancing the meeting.

g. Other Matters

Mr. Shea asked Board members to send him any suggestions as to how the LSBA might better serve both its members and the public.

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

Mr. Cunningham waived his report.

20. Report of the Secretary – Barry H. Grodsky

Mr. Grodsky announced that he had appointed Ms. Mire to the Louisiana Bar Journal Editorial Board. He also asked Board members to consider serving as mentors.

21. Report of the Treasurer – Robert A. Kutcher

Mr. Kutcher waived his report.

22. Report of the Immediate Past President – Richard K. Leefe

Mr. Leefe waived his report.

23. Report of the Young Lawyers Division Chair – J. Lee Hoffoss, Jr.

Mr. Hoffoss advised that the YLD plans to initiate a program to provide assistance to veterans, and that the YLD is currently researching what is being done by their counterparts in other states. He further advised that the Wills for Heroes program had another successful year and will be expanded into more rural areas of the state. Finally, he reported that the YLD will focus on member outreach and will work toward increased committee participation.

24. Report of the Executive Director – Loretta Larsen

Ms. Larsen advised that staff would be working to close out FY 2013/2014, and urged members to submit any outstanding reimbursements from the May Orientation. She also thanked the Board for their compliments on the Annual Meeting/Summer School, and noted that the success of the program was attributable to the efforts of the entire LSBA staff.

25. Report of the Associate Executive Director – Cheri Cotogno Grodsky

Ms. Grodsky referred members to her written report.

Adjourn

There being no further business and upon motion by Mr. Kutcher and second by Mr. David, the meeting was adjourned at 12:50 p.m.