



Louisiana[®]
State Bar
Association

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HOUSE OF DELEGATES
Thursday, June 5, 2014
Sandestin Golf & Beach Resort ▪ Destin, FL

ACTIONS

I. Certification of Quorum by the Secretary

Mr. Grodsky certified that there was a quorum and Mr. Leefe called the meeting to order at 11:30 a.m.

II. Recognition of Deceased Members of the House of Delegates

Mr. Leefe reported that there were no deceased members since the last meeting of the House.

General Session

III. Reports of Standing Committees of the House

1. Jeffrey A. Riggs, Liaison Committee Chair (oral report)

Mr. Riggs reported on efforts to foster inter-session communications among House members using Linked In and advised that House members would receive an email on this the week following the meeting.

IV. Reports of Officers, Board of Governors, Standing Committees and Sections of the Louisiana State Bar Association

1. Richard K. Leefe, President

Mr. Leefe deferred his report, advising that he would make it at the Installation Dinner on Thursday evening.

2. Joseph L. Shea, Jr., President-Elect

Mr. Shea reported briefly on his plans to appoint an Outreach Committee, which would be chaired by John Frazier of Shreveport. Mr. Shea encouraged House members to let him know if they were interested in participating.

3. Barry H. Grodsky, Secretary
Mr. Grodsky waived his report, as he had reported at the General Assembly.
4. Steven G. Durio, Treasurer
Mr. Durio waived his report.
5. Legislation Committee – Michael W. McKay, Chair
Mr. McKay reported on the final disposition of bills on which the LSBA took a position during the 2014 Regular Session. A written report is attached as an addendum to this report.
6. Committee on the Profession – Barry H. Grodsky, Chair
Mr. Grodsky waived further report, as he had reported at the General Assembly.
7. Judge Sandra Jenkins, Children’s Law Committee Co-Chair (oral report and short video clip)
Judge Jenkins gave a brief report on the work of the Children’s Law Committee and then played for the House a short clip from the Committee’s new video.

V. Reports of Special Committees of the Louisiana State Bar Association

There were no additional oral reports. Written reports were distributed via email.

VI. Other Reports

There were no additional reports.

Activities of the House of Delegates

VII. Approval of Minutes

Consideration of approval of the Minutes of the January 25, 2014 Meeting of the House of Delegates, held in Baton Rouge.

Upon motion by Robert Kutcher (24th JD) and second by Clay Hamilton (5th JD), the House unanimously approved the minutes as presented.

VIII. Old Business

Consideration of any old business to come before the House.

There was no old business to come before the House.

IX. Elections

1. Election of three (3) members of the House of Delegates to the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association. The

committee is composed of the president, president-elect, secretary, chair of the Public Information Committee, and the three (3) House of Delegates members.

Upon motion by Jeff Riggs (15th JD), which motion was duly seconded, Dona Renegar (15th JD) was elected by acclamation. Because no further nominations were made, the President will appoint two additional House members to serve on this committee.

2. Election of a member to serve the final year of Robert A. Kutcher's three-year term on the House of Delegates Liaison Committee, to commence at the conclusion of the 2014 Annual Meeting and end at the conclusion of the 2015 Annual Meeting (Mr. Kutcher must resign at the close of the June 5, 2014 House meeting in order to be installed as LSBA Treasurer). This member shall be elected from House of Delegates members representing the 20th through 42nd Judicial Districts.

Mr. Kutcher nominated Sandra Cosby (24th JD) to serve, which nomination was duly seconded. As no further nominations were received, Ms. Cosby was elected by acclamation.

3. Election, from the three Liaison Committee members, of a Chair of the House of Delegates Liaison Committee for 2014-2015, whose term will commence at the conclusion of the 2014 Annual Meeting. The Chair of the Liaison Committee is a voting member of the Board of Governors.

Mr. Riggs nominated Alainna Mire (9th JD) to serve as Chair of the Liaison Committee for 2014/2015, with a second by Mr. Kutcher. As no further nominations were received, Ms. Mire was elected by acclamation.

4. Election of five (5) members of the House of Delegates to serve three-year terms on the Legislation Committee. To ensure geographically diverse representation, there shall be no more than three (3) House of Delegates representatives from a judicial district at any given time. Terms commence on July 1 immediately following the election and end on June 30, 2017. The following HOD members' terms are expiring:
 - Donald R. Abaunza (41st Judicial District)
 - B. Scott Andrews (19th Judicial District)
 - Paula Adams Ates (Section on Civil Law & Litigation)
 - Robert A. Kutcher (24th Judicial District)
 - Ronald J. Sholes (41st Judicial District)

The following individuals were nominated to serve on the Legislation Committee from July 1, 2014 through June 30, 2017:

- *Donald R. Abaunza (41st Judicial District)*
- *James E. Boren (19th Judicial District)*
- *B. Scott Andrews (19th Judicial District)*
- *Ronald J. Sholes (41st Judicial District)*

Because there were fewer nominees than positions, all were declared elected and Mr. Leefe advised that the President would appoint someone from the House to fill the final vacant position on the Legislation Committee.

X. Resolutions

Section Resolutions

1. Resolution from the Civil Law & Litigation Section asking the House to approve a restatement of the Section's Bylaws.

Upon motion by Section Chair Lynn Luker, which motion was duly seconded, the House unanimously approved the restatement of the Section's Bylaws.

2. Resolution from the Ashley Foret Dees and Laura N. Buck asking the House to create an Immigration Law Section and adopt Bylaws for same.

Upon motion by Ms. Dees, which motion was duly seconded, the House unanimously approved the creation of the Immigration Law Section and the adoption of Bylaws for same.

Committee Resolution

3. Resolution from the Committee on Diversity to recognize and offer its appreciation to Kelly McNeil Legier, who served as LSBA Director of Member Outreach and Diversity from January 2008 through March 2014.

Director of Member Outreach and Diversity Tricia Pierre introduced the resolution on behalf of the Committee on Diversity. Upon motion by Mr. Kutcher, which motion was duly seconded, the House unanimously approved the resolution.

Louisiana Board of Legal Specialization Resolutions

4. Resolution from the Louisiana Board of Legal Specialization asking the House to amend the Plan of Legal Specialization to delete Labor and Employment Law as a specialty field of law to be replaced with Labor Law as a separate specialty field of law and Employment Law as a separate specialty field of law.

Louisiana Board of Legal Specialization Chair Monique Clement introduced the resolution. Upon motion and second, the House approved the resolution.

5. Resolution from the Louisiana Board of Legal Specialization asking the House to amend the LBLS standards for Bankruptcy Law, Family Law, Tax Law and Estate Planning and Administration.

Louisiana Board of Legal Specialization Chair Monique Clement introduced the

resolution. Upon motion and second, the House unanimously approved the resolution.

Member Resolution

6. Resolution from Robert A. Kutcher and Thomas C. Cerullo, both of the 24th Judicial District, asking the House of Delegates to 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.

Mr. Kutcher introduced the resolution and motioned for his adoption, which motion was seconded by Thomas Cerullo (24th JD). Mr. Kutcher deferred to the Hon. Fredericka Homberg Wicker (24th JD proxy) who spoke in favor of the resolution. Others spoke to the resolution as follows:

- *In favor of the resolution:*
 - *Thomas C. Cerullo (24th JD)*
 - *Kila Lynn Bobier (1st JD)*
 - *Frank X. Neuner, Jr. (15th JD proxy and Past President)*
 - *Stephen Hanemann (41st JD/Orleans proxy)*
 - *James E. Boren (19th)*
 - *Lynn Luker (Civil Law & Litigation)*
 - *Phillip A. Wittmann (41st JD/Orleans)*

- *Opposed to the resolution:*
 - *Jesse H. Bankston, Jr. (19th JD)*
 - *William D. O'Regan (40th JD)*
 - *John Clay Hamilton (5th JD)*
 - *Ann S. Siddall (7th JD)*

After a lengthy discussion by the above individuals, Ms. Siddall made a motion to amend the resolution to require referral to a committee to study the issue, which motion was seconded by Daniel A. Cavell (17th JD proxy). The motion failed.

Mr. O'Regan then made a motion to table, which motion was seconded by Ms. Siddall. The motion failed.

The question was called on the original motion and a vote was taken. The motion passed.

Executive Committee Resolution

7. Resolution from the Executive Committee to address two housekeeping issues as related to committees:
 - a) Change name of the Public Access and Consumer Protection Committee to the Unauthorized Practice of Law Committee to more accurately reflect the committee's purpose; and
 - b) Convert Ethics Advisory Service from its current composition as a Subcommittee of

the Rules of Professional Conduct Committee to a standing committee of the LSBA

Mr. Shea introduced the resolution. Upon motion by Patrick Talley (41st/Orleans), which motion was duly seconded, the House unanimously approved the resolution.

Young Lawyers Division Resolution

8. Resolution from the Young Lawyers Division proposing a restatement of its Bylaws.

Larry J. Centola (41st JD/Orleans proxy) introduced the resolution and moved for its adoption, which motion was seconded by Mr. Kutcher. The House unanimously approved the resolution.

XI. Other Business

Consideration of any other business to come before the House of Delegates.

There was no additional business to come before the House.

Upon motion by Mr. Kutcher and second by Mr. Cerullo, the meeting was adjourned at 12:55 p.m.