President Michael W. McKay called to order the meeting of the Board of Governors of the Louisiana State Bar Association at 12:40 p.m., Friday, June 11, 2004, in Sandestin, Florida. Business was conducted in accordance with the agenda below.

Agenda Item 1. Roll Call.

Present were:
President, Michael W. McKay
President-Elect, Frank X. Neuner, Jr.
Secretary, James R. McClelland
Treasurer, Kim M. Boyle
Immediate Past President, Wayne J. Lee
Chair, Young Lawyers Section, D.W. "Beau" Sylvester, Jr.
First Board District Representative, Darryl J. Foster
First Board District Representative, Patricia A. Krebs
Second Board District Representative, S. Guy deLaup
Third Board District Representative, Shannon Seiler Dartez
Fourth Board District Representative, James R. Nieset
Fifth Board District Representative, Celia R. Cangelosi
Sixth Board District Representative, William M. Ford
Seventh Board District Representative, Richard L. Fewell, Jr.
Eighth Board District Representative, Edwin L. Blewer, Jr.
At-Large Member, Sheral C. Kellar
At-Large Member, Pamela W. Carter
At-Large Member, Paula Hartley Clayton
From the Faculty of Loyola University School of Law, Kathryn V. Lorio
From the Faculty of Southern University Law Center, Donald W. North
House of Delegates Committee on Liaison Chair, Michael J. Poirrier
House of Delegates Committee on Liaison Member, Mary E. Heck Barrios
House of Delegates Committee on Liaison Member, J. Christopher Peters

Also present were:
Executive Director, Loretta L. Topey
Access to Justice Director, Monte T. Mollere
Communications Director, Michele C. Norris
Member Services Director, Judith W. Dugar
Practice Assistance Counsel, Cheri Cotogno Grodsky
Executive Assistant, Ramona K. Meyers
Group Insurance Committee Member, Elizabeth Erny Foote
Absent were:
From the Louisiana State Law Institute, James A. Gray II

**Consent Calendar**

The following items were included on the Consent Calendar and moved for approval without discussion and/or debate and unanimously approved.

2. **Bank Resolutions.**
   Resolutions were prepared covering all accounts of the Association and were distributed for signature to those members of the Board authorized to countersign checks written on the accounts.

3. **Presidential Authority.**
   Under the Charter, the President, with the consent of the Board of Governors, may make committee appointments and create committees. The Board granted Mr. McKay the right 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.

4. **Election Procedures.**
   Approved the election schedule and election procedures to be used during the 2004-05 election process.

**Agenda Item 5. Consideration of Any Item(s) Removed from Consent Calendar.**

No items were removed from the Consent Calendar for further discussion/debate.

**Agenda Item 6. Group Insurance Committee.**

Ms. Foote presented the following recommendations of the Group Insurance Committee which were unanimously approved by the Board:

- 15.5% rate increase effective August 1, 2004, for the Louisiana $500 PPO;
- 9.9% rate increase effective August 1, 2004, for all other Louisiana plans;
- offer a new Health Savings Account compliant plan that will average approximately 16% below current rates and will include new area and gender factors consistent with the market place.

**Agenda Item 7. House of Delegates.**

The Board unanimously approved all actions taken by the House of Delegates at its meeting on Thursday, June 10, 2004.
Agenda Item 8. Conflict of Interest Statement.

The Board unanimously adopted the Conflict of Interest Statement, which was signed by all Board members in attendance and will become an addendum to the official minutes.

Agenda Item 9. Budget Committee Election.

Mr. deLaup was unanimously elected by the Board to serve as its representative to the Budget Committee for the 2004-05 fiscal year.


Ms. Boyle presented an overview of the proposed budget as submitted and moved its approval by the Board. The motion was seconded and unanimously approved.

Agenda Item 11. Executive Director Performance Evaluation Policy.

Mr. McKay informed the Board that the Executive Director receives an annual performance evaluation but that it has been handled on a relatively informal basis. The purpose of the policy is to formalize the process. A motion was made, seconded and unanimously approved to adopt the Executive Director Performance Evaluation Policy as prepared.

Agenda Item 12. Consideration of Appointments to Committee on Bar Admissions.

The Board voted unanimously to recommend to the Supreme Court the following appointments:

- David L. Cromwell to replace Billy J. Domingue as the Civil Code III Examiner; and

Agenda Item 13. Client Assistance Fund.

a. Proposed Changes to Client Assistance Fund Rules. Mr. Neuner reviewed the proposed changes to Rule II(3) and Rule II(9)(a) and moved their adoption. The Board unanimously approved the Rule changes as prepared.
b. Appointment of Board of Directors of Louisiana Client Assistance Foundation.
Mr. Neuner reviewed the slate of officers and members recommended by the Louisiana Client Assistance Foundation, noting that Mr. John G. Beckwith, Sr., Lay Member of the Board, passed away recently and the Board had no recommendation at this time for his replacement. Mr. Neuner moved that the Board of Governors prepare an appropriate resolution for presentation to Mr. Beckwith's family for his years of service on the Board of Directors of the Louisiana Client Assistance Foundation. The motion was unanimously approved. He then requested that members of the Board contact him if they know a lay person willing to serve on the Foundation Board. The Board then unanimously approved the following appointments to the Board of Directors of the Louisiana Client Assistance Foundation:
- President, Frank X. Neuner, Jr.
- Vice-President, James R. McClelland
- Secretary-Treasurer, Kim M. Boyle
- Trustee, Drew A. Ranier
- Trustee, Charles B. Plattsmier
- Chair of the Client Assistance Fund Committee (to be appointed by LSBA President)
- Vice-Chair of the Client Assistance Fund Committee (to be appointed by LSBA President)
- Lay Member (to be appointed)
- Lay Member, Terry Taylor

Agenda Item 14: Report of the President.

a. Leadership LSBA 2003-04 Class.
President McKay informed the Board that he would continue the program initiated by Past President Larry Feldman and asked the Board to forward any recommendations they may have directly to him at his office.

b. Committee Appointments.
President McKay stated that he had been working on committee appointments and hoped to have them complete by the end of June.

President McKay informed the Board that the meeting would be held June 26-28 at Caesars Palace, Las Vegas, Nevada. He stated that he would be working with the Supreme Court to ensure that judges could use their expense accounts to attend the meeting and then will contact the judges to encourage their attendance. President McKay further stated that he and Ms. Topey would contact Continental Airlines to negotiate a group price for airline tickets.
d. Legislative Position Policies.
President McKay informed the Board that he would appoint a committee to develop guidelines for the Legislation Committee to use in determining which legislation should be monitored by the association and to draft rules of debate for use during the House meetings.

Agenda Item 15. Report of the President-Elect.

a. Bar Center.
Mr. Neuner informed the Board that the purchase agreement had been signed by the LSBA and Louisiana Bar Foundation and that the transaction should be completed by the end of the fiscal year.

b. Other Matters.
Mr. Neuner reported that the association should complete the 2003-04 Fiscal Year in the black with approximately $35,000 added to reserves. He further stated that Summer School attendance was approximately 430 and Annual Meeting attendance was over 400 registrants.


a. Investments.
Ms. Boyle indicated that she would be working closely with Waters Parkerson in monitoring the LSBA investments.

b. Other Matters.
Ms. Boyle reported that she would meet with the co-chairs of the Continuing Legal Education Committee to discuss methods of increasing revenues for the association. She stated that the Office of Disciplinary Counsel had been providing free CLE programs on various subjects, but recently began to increase the subject matter presented. This could have a serious impact on LSBA revenue and Ms. Boyle stated that she would meet with the Chief Disciplinary Counsel to discuss this situation.

Ms. Boyle informed the Board that the LSBA had been seeking sponsors to assist with costs associated with the reception/luncheon held in conjunction with the law school professionalism programs held at each of the state's four law schools at the beginning of the school year. LSU has indicated that they would prefer to pay for the reception/luncheon rather than the LSBA competing with the schools efforts to solicit contributions from alumni and law-related vendors. Ms. Boyle reported that a compromise had been reached in that the LSBA would continue to solicit sponsorships for the professionalism programs but sponsors would not be acknowledged at the events. Instead, sponsors will be acknowledged through the

Agenda Item 17. Report of the Secretary.

Mr. McClelland reported that the June issue of the Journal had been mailed and that the Editorial Board was looking for authors for upcoming issues.


Mr. Lee made no report.

Agenda Item 19. Report of the Young Lawyers Section Chair.

Mr. Sylvester reviewed the YLS projects for the upcoming year. He reported on a meeting with President McKay and the director of the Louisiana Center for Law and Civic Education to consider working with the Center to increase programs.


Ms. Topey informed the Board that she was working on a policy and procedure manual for the Board of Governors that would be brought to the August meeting for consideration. She stated that the staff is ready to assist the Board and is looking forward to the new year.

Agenda Item 21. Other Matters.

The next meeting of the Board of Governors will be held Saturday, August 28, at the Ritz-Carlton in New Orleans. Additional information on the meeting will be sent to the Board members in July.

Agenda Item 22. Adjournment.

There being no further business to discuss, the meeting was adjourned at 2 p.m.

Respectfully Submitted:

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James R. McClelland                Date
Secretary