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BOARD OF GOVERNORS

11 a.m. ■ Friday, June 10, 2016
Destin, Florida

*** MINUTES ***

President Darrel J. Papillion called the meeting to order at 11 a.m., on Friday, June 10, 2016, in Destin, Florida.

Agenda Item 1. Roll Call

Ms. Larsen called roll and advised that the following members, who constituted a quorum, were present:

President, Darrel J. Papillion
President-Elect, Dona K. Renegar
Secretary, Alainna R. Mire
Treasurer, H. Minor Pipes III
Immediate Past President, Mark A. Cunningham
Chair, Young Lawyers Section, Scotty E. Chabert, Jr.
First Board District Representative, Patrick A. Talley, Jr.
First Board District Representative, D. Skylar Rosenbloom
Second Board District Representative, John E. McAuliffe, Jr.
Third Board District Representative, Blake R. David
Fifth Board District Representative, C. Kevin Hayes
Fifth Board District Representative, Edward J. Walters, Jr.
Sixth Board District Representative, Charles D. Elliott
Seventh Board District Representative, C. A. "Hap" Martin, III
At-Large Member, John M. Frazier
At-Large Member, Rachael Johnson
At-Large Member, Jermaine Guillory
From the Faculty of Loyola University College of Law, Monica Hof Wallace
From the Faculty of Southern University Law Center, Donald W. North
From the Louisiana State Law Institute, Kevin C. Curry
House of Delegates Committee on Liaison Member, Sandra K. Cosby

Also present were:

Executive Director, Loretta Larsen, CAE
Associate Executive Director, Cheri Cotogno Grodsky
Access to Justice Director, Monte Mollere
Communications Director, Kelly Wells Ponder

Information Technology Director, Tony LaVerde
Director of Member Outreach and Diversity, Tricia R. Pierre
Executive Assistant, Mindi Hunter
Mark A. Surprenant, JLAP Chair (Item 4 only)
Edward L. Weiner, Virginia State Bar President

Absent were:

Fourth Board District Representative, J. Lee Hoffoss, Jr.
Eighth Board District Representative, Marjorie L. “Meg” Frazier
House of Delegates Committee on Liaison Chair, Julie Baxter Payer
House of Delegates Committee on Liaison Member, S. Jacob Braud

Agenda Item 2. Consent Calendar

a. Bank Resolutions

Resolutions have been prepared covering all accounts of the Association. These require that all checks be signed by Treasurer H. Minor Pipes III or Assistant Treasurer Loretta Larsen, and countersigned by one of the following persons: Darrel J. Papillion, Mark A. Cunningham, Patrick A. Talley, John E. McAuliffe, Jr., D. Skylar Rosenbloom, Rachael D. Johnson and Monica Hof Wallace.

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. Papillion 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. David and second by Mr. Pipes, the Consent Calendar was unanimously approved without discussion or debate.

Agenda Item 3. Legislative Positions 2016 – Larry L. Murray

In Mr. Murray’s absence, Mr. Papillion referred members to the written reports.

Agenda Item 4. Judges and Lawyers Assistance Program – Mark A. Surprenant

After introduction by Mr. Papillion, JLAP Board Chair Mark Surprenant gave Board members an update on JLAP's activities and finances.

Agenda Item 5. Access to Justice Commission – Monte T. Mollere

Mr. Mollere reported on the Economic Impact Study, the agreement to support a statewide communication and messaging strategy for civil legal services, and the agreement to participate in the ABA Pro Bono Survey for Louisiana, all as detailed in his written report.

Upon motion by Ms. Renegar and second by Mr. McAuliffe, the Board voted unanimously to ratify the Executive Committee's decision to identify a legislator to submit a resolution calling for the Economic Impact Study.

Agenda Item 6. House of Delegates – Darrel J. Papillion

Upon motion by Mr. Pipes and second by Ms. Renegar, the Board unanimously approved all actions taken by the House of Delegates at its meeting on June 9, 2016.

**Agenda Item 8. Appointment of Louisiana Client Assistance Foundation Board
– Cheri Cotogno Grodsky**

The Board unanimously approved the following appointments to the Louisiana Client Assistance Foundation Board of Directors for 2016/2017: President, Frank X. Neuner, Jr.; Vice President, Darrel J. Papillion; Secretary-Treasurer, Charles B. Plattsmier; Trustees – Drew A. Ranier, Dona K. Renegar, David W. Leefe, Mary Ann Wegmann, A. Anderson Hartiens (lay member), Major Reginald R. Brown, Sr. (lay member) and Lauren McHugh Rocha, Supreme Court Liaison.

Agenda Item 9. Appointment of LCLCE Board of Directors – Loretta Larsen

After an introduction by Ms. Larsen and upon motion by Ms. Mire and second by Mr. Pipes, the board unanimously approved the LCLCE Board appointments as recommended by LCLCE.

Agenda Item 10. Judges and Lawyers Assistance Program – Darrel J. Papillion

After a brief discussion and upon motion by Ms. Mire and second by Mr. Talley, the Board unanimously approved the following appointments to the JLAP Board for three-year terms to commence July 1, 2016 and conclude June 30, 2019:

- Appointment of Dona K. Renegar as LSBA Director; and
- Appointment of Hon. Ivan L.R. Lemelle as Operations Committee Director.

Mr. Papillion reviewed the JLAP budget, noting that it included a \$375,000 donation by the LSBA. After a lengthy discussion, Mr. David made the following motion which was seconded by Mr. Talley and unanimously approved by the Board:

BE IT RESOLVED that the Board of Governors approve JLAP's proposed 2016/2017 budget, with the first two installments of \$93,750 to be paid on July 1, 2016 and October 1, 2016, subject to:

- JLAP meeting the requirements set forth in the October 2014 LSBA Board of Governors resolution;
- JLAP complying with the LSBA's requirements regarding JLAP employee benefits, to be determined and communicated to JLAP after Ms. Larsen's June meeting with LSBA ERISA counsel; and
- JLAP cooperating with Ms. Renegar in her efforts to secure statistical data from the organization.

**Agenda Item 11. Board of Governors Statements Confirming LSBA Policies
– Darrel J. Papillion**

After a review by Mr. Papillion, and upon motion by Mr. McAuliffe and second by Mr. David, the Board unanimously adopted the Antitrust Avoidance, Confidentiality and Conflict of Interest policies, which were circulated for signature.

Agenda Item 12. Budget Committee – Darrel J. Papillion

Upon motion by Mr. Pipes and second by Mr. David, the Board unanimously elected Mr. Walters to serve a two-year term as the Board of Governors representative on the Budget Committee, which term will begin on July 1, 2016 and end on June 30, 2018.

Agenda Item 13. Consideration of 2016/2017 Budget – H. Minor Pipes III

Mr. Pipes advised that the Budget Committee had met on May 20, went through an exhaustive review of the draft budget, and made a number of adjustments to improve the bottom line. He reviewed the draft budget and moved its adoption, which was seconded by Ms. Mire and unanimously approved by the Board.

Mr. Papillion then advised that at the direction of the Committee, Ms. Larsen had met with Gilsbar representatives regarding moving to the general fund the portion of the royalty which had been going to the Legal Malpractice Insurance Fund.

After a lengthy discussion and upon motion by Mr. Pipes and second by Mr. McAuliffe, the Board voted to move all insurance royalties to the general fund and amend the budget as previously approved to include additional Gilsbar royalties in the amount of \$200,000, with Mr. Elliott and Mr. Martin voting in opposition.

There was some additional discussion about the purpose of the Legal Malpractice Insurance Fund and the likelihood that it would ever be used to form a captive and/or “buy down” a future rate increase. Upon motion by Mr. Talley and second by Mr. David, the Board voted unanimously to refer this matter to the Executive Committee for study, with a report with recommendations to be brought back to the Board of Governors.

Agenda Item 14. Election Procedures 2016/2017 – Loretta Larsen

Ms. Larsen reviewed the 2016/2017 election procedures as drafted, noting that they envisioned continuing the online elections instituted a number of years ago. Upon motion by Ms. Renegar and second by Ms. Mire, the Board unanimously approved the election procedures as presented.

Agenda Item 15. Louisiana Board of Legal Specialization – Darrel J. Papillion

Mr. Papillion reviewed the events of the past six months, including LBLS establishing an account outside of the financial controls of the LSBA without the consent or knowledge of the Louisiana Supreme Court, and the securing of a separate tax I.D. number, also without the Court’s consent or knowledge.

Mr. Papillion advised that the Executive Committee had voted to unanimously recommend that the Board recommend to the Louisiana Supreme Court the following appointments to the Louisiana Board of Legal Specialization, for terms beginning July 1, 2016 and ending June 30, 2019:

- Kevin C. Curry to replace Monique Babin Clement, who has served two three-year terms and is not eligible for reappointment.
- Robert A. Kutcher to replace Carl J. Servat III, who has served one three-year term.
- Joseph L. “Larry” Shea, Jr. to replace Melanie C. Lockett, who has served one three-year term.

After some discussion and upon motion by Mr. McAuliffe and second by Mr. David, the Board voted unanimously to accept the Executive Committee’s recommendation.

Agenda Item 16. Louisiana Bar Journal Editorial Board – Alainna R. Mire

Ms. Mire advised that she was recommending that the Senior Lawyers Division newsletter *Seasonings* come under jurisdiction of the Editorial Board, to ensure consistency with all other LSBA publications. She suggested that the SLD officers and Ms. Grodsky develop publication guidelines to be submitted to the Secretary for consideration.

After a brief discussion and upon motion by Ms. Mire and second by Mr. Walters, the Board voted unanimously to move the SLD newsletter under the jurisdiction of the Editorial Board.

Agenda Item 17. Report of the President – Darrel J. Papillion

- a. Leadership LSBA 2016/2017 – Mr. Papillion advised that the application period was open for the upcoming class and he encouraged Board members to submit nominations.
- b. Committee Appointments – Mr. Papillion reported that he had met with staff to make committee appointments, which he was now finalizing.
- c. 2016/2017 Board of Governors Meeting Calendar – Mr. Papillion referred Board members to the calendar of meetings for the upcoming year.
- d. 2017 Midyear Meeting – Mr. Papillion announced that the meeting would be held Thursday, January 19 through Saturday, January 21 at the Renaissance Baton Rouge Hotel.
- e. 2017 Annual Meeting/Joint Summer School with Louisiana Judicial College at Sandestin Golf & Beach Resort – Mr. Papillion announced that the meeting would be held Sunday, June 4 through Friday, June 9.

Agenda Item 18. Report of the President-Elect – Dona K. Renegar

Ms. Renegar waived her report.

Agenda Item 19. Report of the Secretary – Alainna R. Mire

Ms. Mire waived her report.

Agenda Item 20. Report of the Treasurer – H. Minor Pipes III

Mr. Pipes waived his report.

Agenda Item 21. Report of the Immediate Past President – Mark A. Cunningham

Mr. Cunningham waived his report.

Agenda Item 22. Report of the Young Lawyers Division Chair – Scotty E. Chabert, Jr.

Mr. Chabert gave a brief report on the activities of the YLD.

Agenda Item 23. Report of the Executive Director – Loretta Larsen

Ms. Larsen waived her report.

Agenda Item 24. Report of the Associate Executive Director – Cheri Cotogno Grodsky

Ms. Grodsky referred members to her written report.

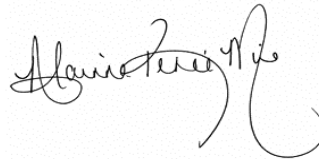
Agenda Item 25. Other Matters

Virginia State Bar President Edward L. Weiner thanked Board members for the hospitality extended to him and his wife during their week in Destin.

Adjourn

There being no further business, upon motion by Mr. Rosenbloom and second by Mr. Hayes, the meeting was adjourned at 1:50 p.m.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read 'Alainna R. Mire', with a large, decorative flourish at the end.

Alainna R. Mire
Secretary

APPROVED BY BOARD OF GOVERNORS
AUGUST 20, 2016
NEW ORLEANS