



*Serving the Public. Serving the Profession.*

## **HOUSE OF DELEGATES MEETING**

**9 a.m. ■ Saturday, January 21, 2023**

**Renaissance Baton Rouge Hotel**

### **M I N U T E S**

President Stephen I. Dwyer called the meeting of the House of Delegates of the Louisiana State Bar Association to order at 9:05 a.m., Saturday, January 21, 2023. He reminded everyone that the meeting would be hybrid, with many in attendance in person and others via Zoom. He also reminded participants of the following special rules adopted and circulated for the hybrid meeting:

- Candidates for the position on the House of Delegates Liaison Committee had to have qualified in advance of the meeting; and
- Salmon slips to speak for or against any resolution had to have been submitted in advance.

He also reminded all members that they must use their MeetingPulse login to register their attendance for the meeting and to cast votes.

Chief Justice John L. Weimer gave remarks to the House of Delegates thanking them for their service to the Louisiana State Bar Association and to the profession.

Mr. Dwyer announced the names of the members of the 2022-23 Leadership LSBA Class present.

Business was conducted in accordance with the agenda below.

### **A G E N D A**

**I. Certification of Quorum by the Secretary**

*Secretary C.A. “Hap” Martin III announced that there was a quorum. A participation roster is attached as an addendum to these minutes.*

**II. Recognition of Deceased Members of the House of Delegates**

*Mr. Dwyer asked for a moment of silence for the following deceased members of the HOD:*

- *Roberta L. Burns, served from 2008-2022*
- *Adrienne Landry Baumgartner, served from 2008-2009*
- *Charles R. Whitehead, Jr., served from 2008-2016*

**III. Reports of Standing Committees of the House**

*Mr. Dwyer announced that any reports had been emailed to House members.*

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

1. Stephen I. Dwyer, President
2. Shayna L. Sonnier, President-Elect
3. C.A. “Hap” Martin III, Secretary
4. Larry J. Centola III, Treasurer

*Mr. Dwyer gave a brief report noting the upcoming reception taking place during the ABA Midyear Meeting in New Orleans.*

*Mr. Centola’s report was distributed via email prior to the meeting.*

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

*Mr. Dwyer announced that committee reports were distributed via email in advance of the meeting.*

**VI. Other Reports\***

*There were no other reports.*

**Activities of the House of Delegates**

**VII. Old Business**

The report of the Special Committee to Investigate Group Health Insurance Options, a committee created from the June 2021 resolution, was disseminated via email.

*Mr. Dwyer called upon Chair Kevin C. O’Byron to report to the House on behalf of the Committee.*

**VIII. Approval of Minutes**

Consideration of approval of the Minutes of the June 9, 2022 meeting of the House of Delegates, held in Miramar Beach, Florida.

*Upon motion by Robert A. Kutcher of the 24<sup>th</sup> Judicial District and second by Ann S. Siddall of the 7<sup>th</sup> Judicial District, the House unanimously approved the minutes as presented.*

**IX. Elections**

1. Election of one member to serve a three-year term on the House of Delegates Liaison Committee, to commence at the conclusion of the 2023 Annual Meeting and end at the conclusion of the 2026 Annual Meeting. This member shall be elected from House of Delegates members representing the 1<sup>st</sup> through 19<sup>th</sup> Judicial Districts.

*Mr. Dwyer announced that the following nominations were received in advance and no additional nominations could be made from the floor:*

- *Douglas L. Bryan, 12<sup>th</sup> Judicial District*

- *Shannon Seiler Dartez, 15<sup>th</sup> Judicial District*
- *Jared Elijah-Akeem Nelson, 15<sup>th</sup> Judicial District*
- *D. Abboud Thomas, 19<sup>th</sup> Judicial District*

*He announced that voting was open, and members should vote for one candidate using Meeting Pulse.*

*Mr. Dwyer announced that voting was closed, and that there would be a runoff between Ms. Dartez and Mr. Thomas.*

*A new poll was created for the runoff, Mr. Dwyer reminded members to vote for one candidate, and after voting was closed, he announced that Ms. Dartez had been elected.*

2. Election, from the three Liaison Committee members, of a Chair of the House of Delegates Liaison Committee for 2023-2024, whose term will commence at the conclusion of the 2023 Annual Meeting. The Chair of the Liaison Committee is a voting member of the Board of Governors.

*Mr. Dwyer announced that there would be an election for the Committee Chair, who serves as a voting member of the Board. He further advised that the following members were eligible to run:*

- *Keenan K. Kelly, 10<sup>th</sup> Judicial District*
- *Sandra K. Cosby, 24<sup>th</sup> Judicial District*
- *Shannon Seiler Dartez, 15<sup>th</sup> Judicial District*

*He asked for any nominations. The following individual was nominated by Robert A. Kutcher of the 24<sup>th</sup> Judicial District and was duly seconded by Ann S. Siddall of the 7<sup>th</sup> Judicial District:*

- *Keenan K. Kelly, 10<sup>th</sup> Judicial District*

*Mr. Dwyer announced that Mr. Kelly had been elected.*

## **X. Resolutions**

*Mr. Dwyer reminded members that only those who had completed salmon slips in advance or eligible individuals who had requested privileges of the floor in advance would be allowed to speak on resolutions.*

*He then called upon 24<sup>th</sup> Judicial District Representative and Bar Governance Committee Chair Mr. Robert A. Kutcher who reported that the resolutions were all in proper form and the committee had no comments or merits and recommended support.*

**Young Lawyers Division Resolutions**

1. Resolution from the Young Lawyers Division proposing that the LSBA advocate for Louisiana’s state and federal courts to adopt policies supporting oral argument by new and young lawyers, specifically those that drafted or significantly contributed to the item presented to the court for adjudication, by allowing two attorneys for a party to participate in oral argument.

*Mr. Dwyer called upon YLD Chair Danielle L. Borel to present the resolution. Jared E. Nelson of the 15<sup>th</sup> Judicial District moved its adoption, which was duly seconded by Robert A. Kutcher of the 24<sup>th</sup> Judicial District.*

*Mr. Dwyer then called upon 14<sup>th</sup> Judicial District Representative Andrew M. Casanave who had submitted a salmon slip to speak against the resolution.*

*There being no further salmon slips, Ms. Borel made closing comments after which Mr. Dwyer advised the vote would be taken. He announced that members should vote for or against the resolution using Meeting Pulse and that voting will be open for roughly 60 seconds.*

*Mr. Dwyer announced that voting was closed, and that the resolution was APPROVED by the following vote:*

<i>Approve</i>	<i>119</i>
<i>Reject</i>	<i>37</i>
<i>Abstain</i>	<i>2</i>

2. Resolution from the Young Lawyers Division proposing amendments to its Bylaws to clarify the Bylaws and make them consistent with current procedures.

*Mr. Dwyer called upon YLD Chair Danielle L. Borel to present the resolution. Collin Melancon of the Orleans Judicial District moved its adoption, which was duly seconded by Jared E. Nelson of the 15<sup>th</sup> Judicial District.*

*There being no salmon slips, Mr. Dwyer announced that voting was open, and members would have roughly 60 seconds to vote for or against the resolution using Meeting Pulse.*

*Mr. Dwyer announced that voting was closed, and that the resolution was APPROVED by the following vote:*

<i>Approve</i>	<i>146</i>
<i>Reject</i>	<i>2</i>
<i>Abstain</i>	<i>4</i>

**Section Resolution**

3. Resolution from the Corporate and Business Law Section to amend its Bylaws to increase section dues from \$10 per member per year to \$20 per member per year to ensure sufficient funds to cover the LSBA’s section administrative fee.  
*Mr. Dwyer called upon Corporate and Business Law Section Chair, Douglas W. Redfearn to introduce the resolution and move its adoption, which was duly seconded.*

*There being no salmon slips, Mr. Dwyer advised the vote would be taken. He announced that members should vote for or against the resolution using Meeting Pulse and that voting will be open for roughly 60 seconds.*

*Mr. Dwyer announced that voting was closed, and that the resolution was APPROVED by the following vote:*

<i>Approve</i>	<i>138</i>
<i>Reject</i>	<i>6</i>
<i>Abstain</i>	<i>5</i>

**Committee Resolutions**

4. Resolution from the Rules of Professional Conduct Committee proposing that the LSBA recommend to the Louisiana Supreme Court amendment to Rule 1.10 of the Rules of Professional Conduct regarding imputation of conflicts to non-lawyers such as law clerks, secretaries and paralegals.  
*Mr. Dwyer called upon Rules of Professional Conduct Committee Chair, Richard C. Stanley to present the resolution and move its adoption, which was duly seconded by Robert A. Kutcher of the 24<sup>th</sup> Judicial District.*

*There being no salmon slips, Mr. Dwyer advised the vote would be taken. He announced that members should vote for or against the resolution using Meeting Pulse and that voting will be open for roughly 60 seconds.*

*Mr. Dwyer announced that voting was closed, and that the resolution was APPROVED by the following vote:*

<i>Approve</i>	<i>134</i>
<i>Reject</i>	<i>21</i>
<i>Abstain</i>	<i>2</i>

5. Resolution from Rules of Professional Conduct Committee proposing that the LSBA recommend to the Louisiana Supreme Court amendment to Rule 1.10 of the Rules of Professional Conduct including the screening of lateral hires.  
*Mr. Dwyer called upon Rules of Professional Conduct Committee Chair, Richard C. Stanley to present the resolution and move its adoption, which was duly seconded by Robert A. Kutcher of the 24<sup>th</sup> Judicial District.*

*There being no salmon slips, Mr. Dwyer advised the vote would be taken. He announced that members should vote for or against the resolution using Meeting Pulse and that voting will be open for roughly 60 seconds.*

*Mr. Dwyer announced that voting was closed, and that the resolution was APPROVED by the following vote:*

<i>Approve</i>	<i>116</i>
<i>Reject</i>	<i>37</i>
<i>Abstain</i>	<i>5</i>

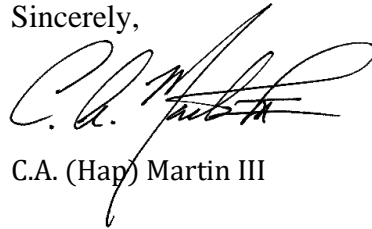
**XI. Other Business**

Consideration of any other business to come before the House of Delegates.  
*There was no further business to come before the House.*

*Mr. Dwyer thanked House members for their participation and reminded Board members that they would reconvene to ratify the action of the HOD.*

*There being no further business, the meeting was adjourned at 10:04 a.m.*

Sincerely,



C.A. (Hap) Martin III

**APPROVED BY HOUSE OF DELEGATES  
JUNE 8, 2023  
MIRAMAR BEACH, FL**

**ADDENDUM  
2022-2023 HOUSE OF DELEGATES  
ATTENDANCE · 2023 MIDYEAR MEETING**

**FIRST JUDICIAL DISTRICT (14 seats) Parish of Caddo**

Valerie A. DeLatte  
PRESENT Daniel L. Farris  
James L. Fortson, Jr.  
PRESENT Stephen Christopher Fortson  
PRESENT John M. Frazier  
PRESENT Daryl Gold  
PRESENT W. James Hill III  
PRESENT Richard M. John  
PRESENT Kevin R. Molloy  
PRESENT Amy Michelle Perkins  
PRESENT Joseph L. Shea, Jr.  
PRESENT Kenneth Craig Smith  
PRESENT Scott R. Wolf  
PRESENT Paul L. Wood

**SECOND JUDICIAL DISTRICT (3 seats) Parishes of Bienville, Claiborne & Jackson**

**THIRD JUDICIAL DISTRICT (3 seats) Parishes of Lincoln & Union**

PRESENT Amy Josephine Miller  
PRESENT Albert Carter Mills IV  
PRESENT Tyler G. Storms

**FOURTH JUDICIAL DISTRICT (11 seats) Parishes of Morehouse & Ouachita**

PRESENT Jimmie Curtis Herring, Jr.  
Ethan Andrews Hunt  
PRESENT Kaleb Morgan Livingston  
PRESENT Spencer Kirby Moore  
PRESENT Ramsey L. Ogg  
PRESENT Alicia Reitzell  
PRESENT Brittany Sullivan  
PRESENT Peggy J. Sullivan  
PRESENT Grant M. Tolbird  
PRESENT Justin Wooley  
PRESENT Thomas G. Zentner, Jr. BY PROXY TO Hap Martin

**FIFTH JUDICIAL DISTRICT (3 seats) Parishes of Franklin, Richland, & West Carroll**

PRESENT John Clay Hamilton

**SIXTH JUDICIAL DISTRICT (2 seats) Parishes of East Carroll, Madison & Tensas**  
Kenneth A. Brister

**SEVENTH JUDICIAL DISTRICT (2 seats) Parishes of Catahoula & Concordia**  
Alexandra E. LeTard  
PRESENT Ann S. Siddall

**EIGHTH JUDICIAL DISTRICT (1 seat) Parish of Winn**  
Jonathan Randall McDow

**NINTH JUDICIAL DISTRICT (7 seats) Parish of Rapides**  
Bernetta Yvette Bryant  
PRESENT Lauren G. Coleman  
PRESENT Randall Hayes  
PRESENT Derrick Javon Johnson  
PRESENT Robert G. Levy  
PRESENT Monique Y. Metoyer  
PRESENT Alainna R. Mire

**TENTH JUDICIAL DISTRICT (2 seats) Parish of Natchitoches**  
PRESENT Keenan K. Kelly

**ELEVENTH JUDICIAL DISTRICT (1 seat) Parish of Sabine**  
PRESENT Joseph R. Stevens

**TWELFTH JUDICIAL DISTRICT (2 seats) Parish of Avoyelles**  
PRESENT Douglas L. Bryan  
Matthew Raymond Foster

**THIRTEENTH JUDICIAL DISTRICT (2 seats) Parish of Evangeline**  
Jacob B. Fusilier  
PRESENT Christopher Ludeau

**FOURTEENTH JUDICIAL DISTRICT (10 seats) Parish of Calcasieu**



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Somer G. Brown  
PRESENT Andrew M. Casanave  
PRESENT Todd S. Clemons  
PRESENT Genia Coleman-Lee  
PRESENT Brad Allen Guillory  
PRESENT Rebecca J. Hunter BY PROXY TO Shayna Sonnier  
Jonathan Lane Johnson  
PRESENT Larry E. Pichon  
PRESENT Michael H. Schwartzberg  
PRESENT Chantell Marie Smith

**FIFTEENTH JUDICIAL DISTRICT (13 seats) Parishes of Acadia, Lafayette & Vermillion**

PRESENT Shannon Seiler Dartez  
PRESENT Katherine L. Hurst  
James L. Klock  
Andrew B. Mims  
PRESENT Jared E. Nelson  
PRESENT Donovan J. O’Pry II BY PROXY TO Jeremy Garcia  
Christopher B. Ortte  
PRESENT Megan E. Reaux BY PROXY TO Taylor Ashworth  
PRESENT Mandy Ann Simon  
PRESENT Michael D. Skinner  
PRESENT Meghan Elizabeth Trahan  
PRESENT Juliette B. Wade  
PRESENT Desiree Williams-Auzenne

**SIXTEENTH JUDICIAL DISTRICT (8 seats) Parishes of Iberia, St. Martin & St. Mary**

PRESENT Adolph B. Curet III  
Eric P. Duplantis  
PRESENT Pamela A. Lemoins  
PRESENT Marsha McNulty  
PRESENT Thailund Treymeine Porter-Green  
Andrew Reed  
PRESENT Julie Des Ormeaux Rosenzweig  
PRESENT Maggie Trahan Simar

**SEVENTEENTH JUDICIAL DISTRICT (5 seats) Parish of Lafourche**

William N. Abel  
Eugene G. Gouaux, Jr.  
J. Marvin Montgomery  
PRESENT Nicholas J. Zeringue

**EIGHTEENTH JUDICIAL DISTRICT (4 seats) Parishes of Iberville, Pointe Coupee &  
West Baton Rouge**

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PRESENT Andretta Breaux Atkins  
PRESENT John Lane Ewing, Jr.  
PRESENT Stephen P. Jewell  
PRESENT Deidre Deculus Robert

**NINETEENTH JUDICIAL DISTRICT (21 seats) Parish of East Baton Rouge**

PRESENT B. Scott Andrews  
PRESENT Jesse H. Bankston, Jr.  
PRESENT Valerie B. Bargas  
PRESENT Elizabeth Bailly Bloch  
PRESENT James E. Boren  
PRESENT Dana B. Brown  
PRESENT Donald J. Cazayoux  
PRESENT Douglas J. Cochran  
PRESENT Renee C. Crasto BY PROXY TO Lauren Papillion  
PRESENT Jean M. Faria BY PROXY TO Carlesia Bibbins  
Maya Guntz Flowers  
PRESENT Christopher B. Hebert  
PRESENT Craig F. Holthaus  
PRESENT Leticia J. Johnson  
PRESENT Rusty M. Messer  
PRESENT Darrel J. Papillion  
PRESENT Julie Baxter Payer  
PRESENT Mary E. Roper  
PRESENT Valerie T. Schexnayder  
PRESENT David Abboud Thomas  
Tavares Anthony Walker

**TWENTIETH JUDICIAL DISTRICT (2 seats) Parishes of East Feliciana & West Feliciana**

PRESENT Samuel Christopher D'Aquila  
PRESENT Stewart B. Hughes

**TWENTY-FIRST JUDICIAL DISTRICT (9 seats) Parishes of Livingston, St. Helena & Tangipahoa**

PRESENT Mary E. Heck Barrios  
PRESENT Erik L. Burns  
PRESENT Anthony Todd Caruso  
PRESENT Douglas T. Curet  
Colt Justin Fore  
PRESENT Ivy Landry Graham  
D. Blayne Honeycutt  
PRESENT Robert W. Morgan  
PRESENT Joseph Paul Ramage, Jr.

**TWENTY-SECOND JUDICIAL DISTRICT (12 seats) Parishes of St. Tammany & Washington**

PRESENT Clayton J. Borne IV  
PRESENT Ben E. Clayton  
PRESENT Joshua P. Clayton  
PRESENT Debra Kay Henkels  
Michael E. Holoway  
PRESENT Andrew B. Joyner  
Robert C. Lehman  
PRESENT R. Bradley Lewis  
Ana E. Lopez  
PRESENT Sean Michael Morrison  
Todd C. Taranto  
PRESENT Rachel Thyre Vogeltanz

**TWENTY-THIRD JUDICIAL DISTRICT (5 seats) Parishes of Ascension, Assumption & St. James**

PRESENT Christopher J. Bridges  
PRESENT Lana O. Chaney  
Timothy E. Pujol  
PRESENT Stacey Barnes Stephens  
PRESENT Lesia H. Warren

**TWENTY-FOURTH JUDICIAL DISTRICT (19 seats) Parish of Jefferson**

PRESENT Jason D. Asbill  
PRESENT Thomas C. Cerullo  
PRESENT Sandra K. Cosby  
PRESENT S. Guy deLaup  
PRESENT Michael R. Delesdernier  
PRESENT Edwin R. Fleischmann, Jr.  
PRESENT Paul C. Fleming, Jr.  
Christy M. Howley  
PRESENT Robert A. Kutcher  
Adrian F. Lapeyronnie III  
PRESENT Richard K. Leefe  
PRESENT Sowmya Mandava  
Robert L. Marrero  
PRESENT Betty Ann Maury  
PRESENT Roy A. Raspanti  
PRESENT Mary Watson Smith  
PRESENT Nicole S. Tygier  
PRESENT Colby F. Wenck  
PRESENT Tiffany Scot Wilken

**TWENTY-FIFTH JUDICIAL DISTRICT (2 seats) Parish of Plaquemine**

S. Jacob Braud  
PRESENT Dominick Scandurro, Jr.

**TWENTY-SIXTH JUDICIAL DISTRICT (6 seats) Parishes of Bossier & Webster**

M. F. Rick Fayard, Jr.  
Amanda J. Hulett  
PRESENT Ingrid J. James  
PRESENT Melissa Joy Kilgo Reger  
PRESENT Ross E. Shacklette  
Aaron R. Wilson

**TWENTY-SEVENTH JUDICIAL DISTRICT (4 seats) Parish of St. Landry**

PRESENT Scherri N. Guidry  
PRESENT Francis A. Olivier III  
Kathleen Elaine Ryan  
PRESENT Randy Wagley

**TWENTY-EIGHTH JUDICIAL DISTRICT (1 seat) Parish of LaSalle**

Christie C. Wood

**TWENTY-NINTH JUDICIAL DISTRICT (3 seats) Parish of St. Charles**

Paula Adams Ates  
PRESENT Don Paul Landry  
Joseph B. Rochelle

**THIRTIETH JUDICIAL DISTRICT (3 seats) Parish of Vernon**

PRESENT Jonathan Reuben Hirsch

**THIRTY-FIRST JUDICIAL DISTRICT (1 seat) Parish of Jefferson Davis**

PRESENT Richard M. Arceneaux

**THIRTY-SECOND JUDICIAL DISTRICT (5 seats) Parish of Terrebonne**

Lakethia Breyun Bryant  
PRESENT Alexis M. Connell  
PRESENT Teresa D. King

**THIRTY-THIRD JUDICIAL DISTRICT (2 seats) Parish of Allen**

PRESENT Mary Hebert Holmes BY PROXY TO Kevin Fonetenot  
PRESENT Michael B. Holmes

**THIRTY-FOURTH JUDICIAL DISTRICT (5 seats) Parish of St. Bernard**

Erica Noel Beck  
PRESENT Elizabeth Borne Kott

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PRESENT Tracy Helen Duplantier  
PRESENT Gregory J. Noto  
PRESENT Paul A. Tabary III

**THIRTY-FIFTH JUDICIAL DISTRICT (1 seat) Parish of Grant**

PRESENT Jared G. Price

**THIRTY-SIXTH JUDICIAL DISTRICT (2 seats) Parish of Beauregard**

PRESENT F. Steve Landreneau

**THIRTY-SEVENTH JUDICIAL DISTRICT (1 seat) Parish of Caldwell**

**THIRTY-EIGHTH JUDICIAL DISTRICT (1 seat) Parish of Cameron**

PRESENT Robert James Sheffield, Jr.

**THIRTY-NINTH JUDICIAL DISTRICT (1 seat) Parish of Red River**

**FORTIETH JUDICIAL DISTRICT (3 seats) Parish of St. John the Baptist**

PRESENT Toni Sutton Becnel  
Elizabeth A. Goree  
PRESENT William D. O'Regan III

**FORTY-FIRST JUDICIAL DISTRICT (32 seats) Parish of Orleans**

PRESENT Glenn B. Adams  
PRESENT Francis J. Barry, Jr.  
PRESENT Ashley L. Belleau  
PRESENT Jack C. Benjamin, Jr.  
PRESENT Evan J. Bergeron  
PRESENT Thomas A. Casey, Jr.  
PRESENT Justin M. Chopin  
PRESENT Louis A. DiRosa, Jr.  
PRESENT Michael Joseph Ecuier  
PRESENT Micah John Fincher  
Thomas M. Flanagan  
PRESENT William R. Forrester  
PRESENT Barry H. Grodsky  
PRESENT James C. Gulotta, Jr.  
PRESENT Philip K. Jones, Jr.  
John M. Landis  
PRESENT Mark D. Latham  
PRESENT Kevin A. Marks  
PRESENT Jonique Martin Hall  
PRESENT Collin R. Melancon  
PRESENT Chadwick J. Mollere

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PRESENT John Reed Poole, Jr.  
PRESENT Christopher K. Ralston  
D. Skylar Rosenbloom  
PRESENT Louis Gravois Schott  
PRESENT Timothy H. Scott  
PRESENT Karen B. Sher  
PRESENT Ronald J. Sholes, Jr.  
Patrick A. Talley, Jr.  
PRESENT Bradley J. Tate  
PRESENT Edward D. Wegmann  
Phillip A. Wittmann

**FORTY-SECOND JUDICIAL DISTRICT (2 seats) Parish of DeSoto**

PRESENT Dick Dee Knadler  
PRESENT Adrienne Danielle White

**SECTION CHAIRS**

Alyson V. Antoon, Animal Law  
Richard J. Arsenault, Insurance, Tort, Worker's Compensation  
Jacqueline M. Brettner, Alternative Dispute Resolution  
Susan J. Burkenstock, Trust Estate Probate & Immovable Property  
PRESENT Christopher Caplinger, Bankruptcy  
Cade R. Cole, Tax Section  
Ashley F. Dees, Immigration Law  
PRESENT Steven J. Farber, Government & Public Law  
PRESENT Jean M. Faria, Criminal Law BY PROXY TO Carlesia Bibbins  
Melissa K. Frey, Public Utility Section  
Edgar D. Gankendorff, Art, Entertainment & Sports Law  
Lauren E. Godshall, Environmental Law  
Demarcus J. Gordon, Minority Involvement  
Edward T. Hayes, International Law  
Steven J. Herman, Class Action Mass Tort  
Leland G. Horton, Mineral Law  
Andrew B. Kingsley, Labor Relation & Employment Law  
Stephen Kepper, Intellectual Property Law  
Lynn Luker, Civil Law & Litigation  
Alexander M. McIntyre, Antitrust & Trade Regulation Law  
Courtney P. Newton, Administrative Law  
Warren A. Perrin, Francophone  
PRESENT Leonor E. Prieto, Solo Small Firm  
PRESENT Lamar Pugh, Health Law Section  
PRESENT Douglas W. Redfearn, Corporate & Business Law  
John W. Redmann, Bench Bar  
H. Bruce Shreves, Fidelity Surety & Construction Law

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PRESENT     Richard C. Stanley, Appellate  
                 David A. Szwak, Consumer Protection Law  
                 Zara L. Zeringue, Family Law

## RESOLUTION

WHEREAS, the purpose of the Louisiana State Bar Association (“LSBA”) Young Lawyers Division is to foster discussions and interchange of ideas relative to the duties, responsibilities and problems of the younger members of the legal profession in the state of Louisiana and to aid in their advancement;

AND WHEREAS, numerous reports have recognized that new and young lawyers, particularly under-represented populations, receive fewer opportunities to meaningfully participate in court proceedings;

AND WHEREAS, judicial orders that encourage new and young attorney participation in addition to senior attorney participation, help those senior attorneys make the case to clients that new and young attorneys should have an active role in courtroom proceedings;

AND WHEREAS, it is intended for this resolution to provide a specific proposal which would increase the opportunities for new and young lawyers to gain meaningful courtroom experience by participating in oral argument;

AND WHEREAS, one such policy can be seen in the United States District Court, Eastern District of Louisiana, where Magistrate Judge Janis van Meerveld has the following language at the bottom of her orders setting oral argument:

*\*\*\*The Court strongly encourages argument by junior attorneys, particularly where the junior attorneys drafted or contributed significantly to the underlying motion or response. Accordingly, if a junior attorney (i.e., a lawyer practicing for less than seven years) argues a motion or opposition for a party, the Court will allow multiple attorneys to argue for that party so that issues can be split between attorneys or a more senior attorney can offer clarification, if necessary.*

AND WHEREAS, it has been the experience of Magistrate Judge Janis van Meerveld that by allowing multiple attorneys to present on a given issue, the senior attorney is more likely to allow the new and young attorney to handle part of the argument because the senior attorney still has the opportunity to clarify or correct any argument made by the new and young attorney, an opportunity not otherwise available; and

AND WHEREAS, it would be in the best interest of the members of the LSBA YLD for Louisiana Courts to take a proactive role in the legal education, training, and experience of the next generation of Louisiana lawyers.



BE IT RESOLVED THAT:

That the House of Delegates, at the request of the LSBA Young Lawyers Division, advocates for Louisiana's state and federal courts to adopt a policy supporting oral argument by new and young lawyers (defined by the Young Lawyers Division as lawyers who have not reached the age of thirty-nine (39) years of age or who have been admitted to the practice of law for fewer than five (5) years), specifically those that drafted or significantly contributed to the item presented to the court for adjudication, by allowing two attorneys for a party to participate in oral argument.

December 14, 2022.

Respectfully submitted,

LSBA Young Lawyers Division Council



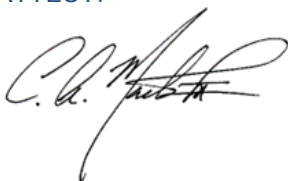
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Danielle L. Borel  
*Chair of and on behalf of LSBA YLD*

APPROVED BY HOUSE OF DELEGATES  
FOR 119 (76%)  
AGAINST 37 (24%)  
JANUARY 21, 2023  
BATON ROUGE, LA

RATIFIED UNANIMOUSLY BY BOARD OF GOVERNORS  
JANUARY 21, 2023  
BATON ROUGE, LA

ATTEST:



C.A. "Hap" Martin III  
Secretary, Louisiana State Bar Association

**RESOLUTION TO THE LOUISIANA STATE BAR ASSOCIATION  
HOUSE OF DELEGATES  
SUBMITTED BY THE YOUNG LAWYERS DIVISION COUNCIL**

WHEREAS, the Young Lawyers Division Council (“YLD Council”) of the Louisiana State Bar Association has revised its Bylaws to incorporate several resolutions passed by the YLD Council; and

WHEREAS, the YLD Council has revised certain of the provisions already contained in its Bylaws in order to clarify the Bylaws and make them consistent with current procedures; and

WHEREAS, it is in the best interest of the YLD Council to consolidate into a single restated Bylaws all revisions made to the Bylaws since restatement of the YLD Council Bylaws on June 5, 2014.

NOW THEREFORE, BE IT RESOLVED, that the House of Delegates, as the policy-making body of the Louisiana State Bar Association, approve the request of the YLD Council to adopt the attached Young Lawyers Division Bylaws.

Respectfully submitted by:

LSBA Young Lawyers Division Council



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Danielle L. Borel, Chair  
December 14, 2022

APPROVED BY HOUSE OF DELEGATES  
FOR 146 (99%)  
AGAINST 2 (1%)  
JANUARY 21, 2023  
BATON ROUGE, LA

RATIFIED UNANIMOUSLY BY BOARD OF GOVERNORS  
JANUARY 21, 2023  
BATON ROUGE, LA

ATTEST:



C.A. "Hap" Martin III  
Secretary, Louisiana State Bar Association

**BYLAWS**  
**OF**  
**THE LOUISIANA STATE BAR ASSOCIATION**  
**YOUNG LAWYERS DIVISION**

Including Amendments through ~~June~~December 2022~~14~~<sup>1</sup>

**ARTICLE I**  
**GENERAL PROVISIONS**

**SECTION 1 - Qualifications of Members**

Every member of the Louisiana State Bar Association (the “Association”) who has not reached the age of thirty-nine (39) years by the end of the Association’s fiscal year or who has been admitted to the practice of law for fewer than five (5) years as of the end of the ~~Division~~ Association’s fiscal year, whichever is later, is by virtue thereof a member (“Member”) of the Young Lawyers Division.

**SECTION 2 - Functions**

A. The Young Lawyers Division shall sponsor such other programs as may be determined advisable and beneficial to Young Lawyers Division members. The Council shall engage in all other progressive activity beneficial to all inhabitants of our state in general, and in particular, to the members of the Louisiana State Bar Association.

**SECTION 23 - Governing Authority**

The governing authority of the Young Lawyers Division shall be known as the Young Lawyers Division Council (the “Council”) and shall consist of a chair, a chair-elect, a secretary, an immediate past chair, and fourteen representatives (the “Representatives”), as follows:

- District 1 (Composed of Orleans Parish) - two Members;
- District 2 (Composed of the Parishes of Jefferson, St. Bernard, Plaquemines, St. Charles, St. John the Baptist, Ascension, Assumption, and St. James) - two Members;
- District 3 (Composed of the Parishes of Lafayette, Iberia, Lafourche, Terrebonne, St. Mary, and St. Martin) - one Member;
- District 4 (Composed of the Parishes of Calcasieu, Cameron, Acadia, Evangeline, Jefferson Davis, St. Landry, and Vermilion) - one Member;
- District 5 (Composed of the Parishes of East Baton Rouge, East and West Feliciana, Livingston, St. Helena, Tangipahoa, Washington, and St. Tammany) - two Members

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<sup>1</sup> Adoption of Bylaw Revisions approved by LSBA House of Delegates on ~~June 5, 2014~~ January 21, 2023.

District 6 (Composed of the Parishes of Allen, Avoyelles, Beauregard, Grant, Iberville, LaSalle, Natchitoches, Pointe Coupee, Rapides, Sabine, Vernon, Winn, and West Baton Rouge) - one Member;

District 7 (Composed of the Parishes of Caldwell, Catahoula, Concordia, East and West Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, and Union) - one Member;

District 8 (Composed of the Parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River, and Webster) - one Member;

At-Large One ethnic minority Member (in accordance with Article II(B), Section 1, Subsection ED).

ABA/YLD One Member (in accordance with Article II(B), Section 1, Subsection EF).

ABA/HOD One Member (in accordance with Article II(B)I, Section 1, Subsection GD).

### SECTION 43 - Place of Meeting

The annual meeting of the Young Lawyers Division shall be held during the Louisiana State Bar Association's Annual Meeting at the time and place designated on the official agenda. The Council shall hold at least four (4) other regularly scheduled meetings during each year.

### SECTION 54 - Attendance at Meetings

Young Lawyers Division Council Members shall attend all meetings, including the Annual Meeting, the four regularly scheduled meetings, and the Council Orientation (if applicable), in person. Any Council Member who shall miss two (2) consecutive meetings, without cause deemed adequate by the Council, shall be subject to removal by the Council, pursuant to Article II(C), Section 4 of these Bylaws. However, should exigent circumstances so require, the chair may allow a Council Member to attend by telephone at the Member's own expense.

### SECTION 6 – Eligibility To Vote

Each Member of the Young Lawyers Division shall be eligible to vote in any Young Lawyers Division election or other balloted matter. For purposes of voting, the preferred mailing address of the Member, as carried in the Association's membership database, shall control.

### SECTION 75 - Voting

A simple majority of the voting members of the Council constitutes a quorum, which is required to conduct Council business.

— There shall be no vote by proxy allowed at Council meetings.

**ARTICLE II**  
**OFFICERS AND REPRESENTATIVES**

**ARTICLE II(A) - OFFICERS**

**SECTION 1 - Titles**

The officers of the Young Lawyers Division shall be a chair, a chair-elect, a secretary, and an immediate past chair.

**SECTION 2 - Chair**

The chair shall, when present, preside at all meetings of the Young Lawyers Division and the Young Lawyers Division Council, and shall see that all orders, motions, and resolutions of the Young Lawyers Division Council are carried into effect. The chair shall direct the other officers and Council Members in the performance of their duties and shall generally perform all acts incidentals to the office of the chair. The chair, after consultation with the Council, shall make annual appointments from the membership of the Young Lawyers Division to the Louisiana Law Institute.

**SECTION 3 - Chair-elect**

The chair-elect shall have such powers and shall perform such duties as shall be assigned to the chair-elect by the chair or by the Council Members. In the absence or disability of the chair, the chair-elect shall perform the duties and exercises the powers of the chair.

**SECTION 4 - Secretary**

The secretary shall give or cause to be given written notice of all meetings of the Council and shall attach an agenda of the meeting with said notice. The secretary shall record all the proceedings of the meetings of the Council, and shall further have such other duties as may be delegated by the chair, the chair-elect, or the Council Members.

**SECTION 5 - Election of Officers**

A. No voting shall be required to select the chair, as the chair-elect shall automatically succeed to this office after having served as chair-elect for a period of one year.

B. No voting shall be required to select the immediate past chair, as the chair shall automatically succeed to this office after having served as chair for a period of one year.

C. No voting shall be required to select the chair-elect, as the secretary shall automatically succeed to this office after having served as secretary for a period of one year.

D. In the event the chair-elect is unable to assume the chair, a chair for the coming year shall be elected by the Council. In the event a vacancy occurs in the office of secretary, a secretary shall be elected by the Council.

E. The secretary of the Council shall be elected by a ballot vote of all Members of the Young Lawyers Division.

F. The Young Lawyers Division Council shall act as the nominating committee for the Young Lawyers Division for the office of secretary. The Council shall submit one and only one name to the secretary of the Louisiana State Bar Association as the nominee for the position of secretary.

G. When the names of the nominees are sent to the secretary of the Louisiana State Bar Association, the secretary of the Council shall communicate the names and a brief biographical sketch of each nominee to the Members of the Young Lawyers Division. At the same time, the secretary of the Council shall solicit nominations from the membership of the Young Lawyers Division. The nominations shall close in conjunction with the dates adopted by the Board of Governors of the Louisiana State Bar Association in connection with the Louisiana State Bar Association general elections.

H. Any person who presents a petition for office signed by at least fifteen (15) Members of the Young Lawyers Division shall be included on the ballot.

I. The first election for officers of the Young Lawyers Division will be held in conjunction with the first general election for the Louisiana State Bar Association. The secretary of the Council shall submit to each Member with the ballots a brief biographical sketch of each candidate for the office of chair-elect and secretary. If any candidate receives more than fifty percent of the votes cast, the candidate will be declared elected. If no candidate receives more than fifty percent of the votes cast, a runoff election between the two candidates receiving the greatest percentage of the votes will be held in conjunction with any runoff of the Louisiana State Bar Association.

J. If the Young Lawyers Division Council submits only one name for any position, and if no other person qualifies for that position by the time the nominations close, the person submitted by the Council shall be declared elected to that position.

## **ARTICLE II(B) – REPRESENTATIVES**

### **SECTION 1 – Selection of Representatives**

A. The Representatives of Districts 1 - 8 of the Young Lawyers Division Council shall be elected from each of the districts delineated in Article I, Section 2 by a ballot vote of all Members of the Young Lawyers Division of the respective districts. Nominations shall be solicited by the secretary of the Council from the membership of the Young Lawyers Division in each representative district in which elections are to be held. Nominations shall close in conjunction with the dates adopted by the Board of Governors of the Louisiana State Bar Association in connection with the Louisiana State Bar Association general elections. Any qualified person requesting to be included on the ballot shall be included on the ballot. The election procedure for the Representatives of Districts 1 - 8 shall be as set forth in this Article II(B). If only one person qualifies for any position by the time the nominations close, that person shall be declared elected to that position.

B. Each Representative of Districts 1 - 8 shall maintain his or her preferred mailing address in a parish within the Representative's respective district.

C. Elections for the Representatives from the odd numbered districts, with the exceptions of Districts 1, 2, and 5 shall be held on even years, and elections for the Representatives from even numbered districts shall be held on odd numbered years. One Representative from Districts 1, 2, and 5 shall be elected each year.

D. If no person qualifies for one of the Representative positions, then the chair assuming office in the year in which the term begins will appoint a Representative from the district's membership.

DE. After consultation with the Council, the At-Large Representative shall be appointed from among the ethnic minority Members of the Young Lawyers Division by the chair assuming office in the year in which a vacancy in the office occurs.

EF. After consultation with the Council, the ABA/YLD Representative shall be appointed from American Bar Association Members of the Young Lawyers Division by the chair assuming office in the year in

which a vacancy in the office occurs, unless the ABA/YLD mandates another method of selection for the ABA/YLD Representative, in which event the ABA/YLD Representative shall be selected according to the method prescribed by the ABA/YLD.

~~F. Elections for the Representatives from the odd-numbered districts, with the exceptions of Districts 1, 2, and 5 shall be held on even years, and elections for the Representatives from even-numbered districts shall be held on odd-numbered years. One Representative from Districts 1, 2, and 5 shall be elected each year. The appointment of the At-Large Representative shall begin with the Annual Meeting of 1992 and shall continue without expiration, unless such expiration is passed by a two-thirds vote of the Council.~~

G. One Member of the Young Lawyers Division shall be included in the Louisiana delegation to the House of Delegates of the American Bar Association. That member, the ABA/HOD Representative, shall be selected according to the rules promulgated by the Louisiana State Bar Association and shall be a *de facto* Member of the Council.

## **ARTICLE II(C) – QUALIFICATIONS FOR OFFICE, TERMS OF OFFICE, VACANCIES, AND REMOVAL**

### SECTION 1 – Qualifications for Office

Subject to the other requirements contained in these Bylaws, any individual who is a Member of the Young Lawyers Division when the term of office begins is eligible for election to the Council. For purposes of qualifying for office under Article II(A) and Article II(B), the preferred mailing address of the Member, as carried in the Association's membership database, shall control.

### SECTION 2 – Terms of Office

A. The term of office for the chair, chair-elect, secretary, and immediate past chair shall be for a period of one year running from Annual Meeting to Annual Meeting of the Association Division.

B. Beginning with the nomination for secretary in 2016-17, the nominee shall maintain his or her preferred mailing address in the parishes of Orleans, Jefferson, St. Bernard, or Plaquemines. The following year, 2017-18, the secretary may maintain his or her preferred mailing address anywhere in the state, and in 2018-19, the secretary shall not maintain his or her preferred mailing address in the parishes of Orleans, Jefferson, St. Bernard, and Plaquemines. This three-year rotation shall continue until amended. As set forth in the rotation, if in any years the area from which a nominee is specified hasbut there is no nominee qualified or willing, then the nominee may come from anywhere in the state.

C. With the exception of the ABA/YLD and ABA/HOD Representatives, the term of office for the Representatives shall be for a period of two years running from Annual Meeting to Annual Meeting of the Association Division. No Representative shall be elected or appointed to any specific Representative position on the Council to serve in excess of two complete consecutive terms. Notwithstanding the foregoing, an appointment made to fill a vacancy in a position on the Council for a period less than a complete term shall not be considered a complete term.

D. The term of office and term limit of the ABA/YLD Representative and the ABA/HOD Representative are governed by the Bylaws of the American Bar Association Young Lawyers Division and the Bylaws of the American Bar Association respectively.

### SECTION 3 - Vacancies in Office

Whenever, for any reason, a Council Member's seat is vacated, except as provided in Article II(A), Section 5(C), the chair ~~person, after consultation with the Council,~~ shall appoint a replacement from the Section's membership for that District.

#### SECTION 4 – Removal for Cause

Any Council Member may be removed from office for cause, as hereinafter defined, on the two-thirds affirmative vote of ~~a quorum of~~ the Council ~~Members~~. For the purposes of this Section, the term "cause" shall mean any of the following: (i) the Council Member's physical or mental illness rendering him/her incapable of performing duties to the Young Lawyers Division for a period of more than three consecutive months; (ii) the Council Member's absence at two (2) consecutive meetings, without cause deemed adequate by the Council; (iii) the Council Member's continued neglect or failure, after written demand, to discharge his/her duties or to obey a specific written direction from the Council; (iv) conflicts ~~that~~ ~~which~~ render the Council Member incapable of fulfilling his/~~or~~-her duties to the Young Lawyers Division; (v) the Council Member's engaging in misconduct ~~that~~ ~~which~~ is injurious to the Association; (vi) the Council Member's conviction of any felony or any crime involving moral turpitude; (vii) conduct ~~that~~ ~~which~~ would seriously impair the Council Member's ability to perform his/her duties to the Young Lawyers Division or would impair the reputation of the Young Lawyers Division.

In the event of removal, such position shall be filled pursuant to Article II(C), Section 3 of these Bylaws.

### ARTICLE III FUNCTIONS

#### SECTION 1 – Perennial Functions

~~—A.— The "Outstanding Young Lawyer" will be selected from the membership of the Division by a majority vote of the Council Members. Criteria for selection of "Outstanding Young Lawyer" shall be determined by the Council and published at least three (3) months prior to the nomination deadline each year. Present or former Council Members are ineligible.~~

~~—B.— The "Bridging the Gap" Institute shall be conducted for the purpose of aiding the new members of the Association in making the transition from the academic atmosphere of the law school to the actual practicing of law.~~

~~—C.— The chair, after consultation with the Council, shall make annual appointments from the membership of the Young Lawyers Division to the Louisiana Law Institute.~~

~~—D.— One Member of the Young Lawyers Division shall be included in the Louisiana delegation to the House of Delegates of the American Bar Association.~~

~~—E.— The Young Lawyers Division shall sponsor such other programs as may be determined advisable.~~

#### SECTION 2 – Miscellaneous Functions

~~—The Council shall engage in all other progressive activity beneficial to all inhabitants of our state in general, and in particular, to the members of the Louisiana State Bar Association.~~

### ARTICLE IV VOTING BY MEMBERS OF THE YOUNG LAWYERS DIVISION

#### SECTION 1 – Eligibility To Vote



~~Each Member of the Young Lawyers Division shall be eligible to vote in any Young Lawyers Division election or other balloted matter. For purposes of voting, the preferred mailing address of the Member, as carried in the Association's membership database, shall control.~~

**ARTICLE III**  
**MODIFICATION OF BYLAWS**

**SECTION 1**

The Bylaws of the Young Lawyers Division may be amended by a two-thirds vote of the Council ~~Members~~ at any regular or specially called meeting held by the Council.

**SECTION 2**

The Bylaws of the Young Lawyers Division may also be amended during the annual business meeting by a three-fourths vote of the membership of the Young Lawyers Division attending such meeting.

**BYLAWS**  
**OF**  
**THE LOUISIANA STATE BAR ASSOCIATION**  
**YOUNG LAWYERS DIVISION**

Including Amendments through June 2014<sup>1</sup>

**ARTICLE I**  
**GENERAL PROVISIONS**

**SECTION 1 - Qualifications of Members**

Every member of the Louisiana State Bar Association (the “Association”) who has not reached the age of thirty-nine (39) years by the end of the Association’s fiscal year or who has been admitted to the practice of law for fewer than five (5) years as of the end of the Division Association’s fiscal year, whichever is later, is by virtue thereof a member (“Member”) of the Young Lawyers Division.

**SECTION 2 - Governing Authority**

The governing authority of the Young Lawyers Division shall be known as the Young Lawyers Division Council (the “Council”) and shall consist of a chair, a chair-elect, a secretary, an immediate past chair, and fourteen representatives (the “Representatives”), as follows:

- District 1 (Composed of Orleans Parish) - two Members;
- District 2 (Composed of the Parishes of Jefferson, St. Bernard, Plaquemines, St. Charles, St. John the Baptist, Ascension, Assumption, and St. James) - two Members;
- District 3 (Composed of the Parishes of Lafayette, Iberia, Lafourche, Terrebonne, St. Mary, and St. Martin) - one Member;
- District 4 (Composed of the Parishes of Calcasieu, Cameron, Acadia, Evangeline, Jefferson Davis, St. Landry, and Vermilion) - one Member;
- District 5 (Composed of the Parishes of East Baton Rouge, East and West Feliciana, Livingston, St. Helena, Tangipahoa, Washington, and St. Tammany) - two Members
- District 6 (Composed of the Parishes of Allen, Avoyelles, Beauregard, Grant, Iberville, LaSalle, Natchitoches, Pointe Coupee, Rapides, Sabine, Vernon, Winn, and West Baton Rouge) - one Member;
- District 7 (Composed of the Parishes of Caldwell, Catahoula, Concordia, East and West Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, and Union) - one Member;
- District 8 (Composed of the Parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River, and Webster) - one Member;

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<sup>1</sup> Adoption of Bylaw Revisions approved by LSBA House of Delegates on June 5, 2014.

- At-Large      One ethnic minority Member (in accordance with Article II(B), Section 1, Subsection D).
- ABA/YLD      One Member (in accordance with Article II(B), Section 1, Subsection E).
- ABA/HOD      One Member (in accordance with Article III, Section 1, Subsection D).

SECTION 3 - Place of Meeting

The annual meeting of the Young Lawyers Division shall be held during the Louisiana State Bar Association's Annual Meeting at the time and place designated on the official agenda. The Council shall hold at least four (4) other regularly scheduled meetings during each year.

SECTION 4 - Attendance at Meetings

Young Lawyers Division Council Members shall attend all meetings, including the Annual Meeting, the four regularly scheduled meetings, and the Council Orientation (if applicable), in person. Any Council Member who shall miss two (2) consecutive meetings, without cause deemed adequate by the Council, shall be subject to removal by the Council, pursuant to Article II(C), Section 4 of these Bylaws. However, should exigent circumstances so require, the chair may allow a Council Member to attend by telephone at the Member's own expense.

SECTION 5 - Voting

There shall be no vote by proxy allowed at Council meetings.

**ARTICLE II**  
**OFFICERS AND REPRESENTATIVES**

**ARTICLE II(A) - OFFICERS**

SECTION 1 - Titles

The officers of the Young Lawyers Division shall be a chair, a chair-elect, a secretary, and an immediate past chair.

SECTION 2 - Chair

The chair shall, when present, preside at all meetings of the Young Lawyers Division and the Young Lawyers Division Council, and shall see that all orders, motions and resolutions of the Young Lawyers Division Council are carried into effect. The chair shall direct the other officers and Council Members in the performance of their duties and shall generally perform all acts incidents to the office of the chair.

SECTION 3 - Chair-elect

The chair-elect shall have such powers and shall perform such duties as shall be assigned to the chair-elect by the chair or by the Council Members. In the absence or disability of the chair, the chair-elect shall perform the duties and exercises the powers of the chair.

SECTION 4 - Secretary

The secretary shall give or cause to be given written notice of all meetings of the Council and shall attach an agenda of the meeting with said notice. The secretary shall record all the proceedings of the meetings

of the Council, and shall further have such other duties as may be delegated by the chair, the chair-elect, or the Council Members.

#### SECTION 5 - Election of Officers

A. No voting shall be required to select the chair, as the chair-elect shall automatically succeed to this office after having served as chair-elect for a period of one year.

B. No voting shall be required to select the immediate past chair, as the chair shall automatically succeed to this office after having served as chair for a period of one year.

C. No voting shall be required to select the chair-elect, as the secretary shall automatically succeed to this office after having served as secretary for a period of one year.

D. In the event the chair-elect is unable to assume the chair, a chair for the coming year shall be elected by the Council. In the event a vacancy occurs in the office of secretary, a secretary shall be elected by the Council.

E. The secretary of the Council shall be elected by a ballot vote of all Members of the Young Lawyers Division.

F. The Young Lawyers Division Council shall act as the nominating committee for the Young Lawyers Division for the office of secretary. The Council shall submit one and only one name to the secretary of the Louisiana State Bar Association as the nominee for the position of secretary. .

G.. When the name of the nominees are sent to the secretary of the Louisiana State Bar Association, the secretary of the Council shall communicate the names and a brief biographical sketch of each nominee to the Members of the Young Lawyers Division. At the same time, the secretary of the Council shall solicit nominations from the membership of the Young Lawyers Division. The nominations shall close in conjunction with the dates adopted by the Board of Governors of the Louisiana State Bar Association in connection with the Louisiana State Bar Association general elections.

H. Any person who presents a petition for office signed by at least fifteen (15) Members of the Young Lawyers Division shall be included on the ballot.

I. The first election for officers of the Young Lawyers Division will be held in conjunction with the first general election for the Louisiana State Bar Association. The secretary of the Council shall submit to each Member with the ballots a brief biographical sketch of each candidate for the office of chair-elect and secretary. If any candidate receives more than fifty percent of the votes cast, the candidate will be declared elected. If no candidate receives more than fifty percent of the votes cast, a runoff election between the two candidates receiving the greatest percentage of the votes will be held in conjunction with any runoff of the Louisiana State Bar Association.

J. If the Young Lawyers Division Council submits only one name for any position, and if no other person qualifies for that position by the time the nominations close, the person submitted by the Council shall be declared elected to that position.

### **ARTICLE II(B) – REPRESENTATIVES**

#### SECTION 1 – Selection of Representatives

A. The Representative of Districts 1 - 8 of the Young Lawyers Division Council shall be elected from each of the districts delineated in Article I, Section 2 by a ballot vote of all Members of the Young

Lawyers Division of the respective districts. Nominations shall be solicited by the secretary of the Council from the membership of the Young Lawyers Division in each representative district in which elections are to be held. Nominations shall close in conjunction with the dates adopted by the Board of Governors of the Louisiana State Bar Association in connection with the Louisiana State Bar Association general elections. Any qualified person requesting to be included on the ballot shall be included on the ballot. The election procedure for the Representatives of Districts 1 - 8 shall be as set forth in this Article II(B). If only one person qualifies for any position by the time the nominations close, that person shall be declared elected to that position.

B. Each Representative of Districts 1 - 8 shall maintain his or her preferred mailing address in a parish within the Representative's respective district.

C. If no person qualifies for one of the Representative positions, then the chair assuming office in the year in which the term begins will appoint a Representative from the district's membership.

D. After consultation with the Council, the At-Large Representative shall be appointed from among the ethnic minority Members of the Young Lawyers Division by the chair assuming office in the year in which a vacancy in the office occurs.

E. After consultation with the Council, the ABA/YLD Representative shall be appointed from American Bar Association Members of the Young Lawyers Division by the chair assuming office in the year in which a vacancy in the office occurs, unless the ABA/YLD mandates another method of selection for the ABA/YLD Representative, in which event the ABA/YLD Representative shall be selected according to the method prescribed by the ABA/YLD.

F. Elections for the Representatives from the odd numbered districts, with the exceptions of Districts 1, 2, and 5 shall be held on even years, and elections for the Representatives from even numbered districts shall be held on odd numbered years. One Representative from Districts 1, 2, and 5 shall be elected each year. The appointment of the At-Large Representative shall begin with the Annual Meeting of 1992 and shall continue without expiration, unless such expiration is passed by a two-thirds vote of the Council.

G. The ABA/HOD Representative shall be selected according to the rules promulgated by the Louisiana State Bar Association and shall be a *de facto* Member of the Council.

**ARTICLE II(C) – QUALIFICATIONS FOR OFFICE,  
TERMS OF OFFICE, VACANCIES, AND REMOVAL**

**SECTION 1 – Qualifications for Office**

Subject to the other requirements contained in these Bylaws, any individual who is a Member of the Young Lawyers Division when the term of office begins is eligible for election to the Council. For purposes of qualifying for office under Article II(A) and Article II(B), the preferred mailing address of the Member, as carried in the Association's membership database, shall control.

**SECTION 2 – Terms of Office**

A. The term of office for the chair, chair-elect, secretary and immediate past chair shall be for a period of one year running from Annual Meeting to Annual Meeting of the Division.

B. Beginning with the nomination for secretary in 2016-17, the nominee shall maintain his or her preferred mailing address in the parishes of Orleans, Jefferson, St. Bernard, or Plaquemines. The following year 2017-18, the secretary may maintain his or her preferred mailing address anywhere in the state, and in 2018-19, the secretary shall not maintain his or her preferred mailing address in the parishes of Orleans, Jefferson, St.

Bernard and Plaquemines. This three year rotation shall continue until amended. As set forth in the rotation, if in any years the area from which a nominee is specified but there is no nominee qualified or willing then the nominee may come from anywhere in the state.

C. With the exception of the ABA/YLD and ABA/HOD Representatives, the term of office for the Representatives shall be for a period of two years running from Annual Meeting to Annual Meeting of the Division. No Representative shall be elected or appointed to any specific Representative position on the Council to serve in excess of two complete consecutive terms. Notwithstanding the foregoing, an appointment made to fill a vacancy in a position on the Council for a period less than a complete term shall not be considered a complete term.

D. The term of office and term limit of the ABA/YLD Representative and the ABA/HOD Representative are governed by the Bylaws of the American Bar Association Young Lawyers Division and the Bylaws of the American Bar Association respectively.

### SECTION 3 - Vacancies in Office

Whenever, for any reason, a Council Member's seat is vacated, except as provided in Article II(A), Section 5(C), the chairperson, after consultation with the Council, shall appoint a replacement from the Section's membership for that District.

### SECTION 4 – Removal for Cause

Any Council Member may be removed from office for cause, as hereinafter defined, on the two-thirds affirmative vote of a quorum of the Council Members. For the purposes of this Section, the term "cause" shall mean any of the following: (i) the Council Member's physical or mental illness rendering him/her incapable of performing duties to the Young Lawyers Division for a period of more than three consecutive months; (ii) the Council Member's absence at two (2) consecutive meetings, without cause deemed adequate by the Council; (iii) the Council Member's continued neglect or failure, after written demand, to discharge his/her duties or to obey a specific written direction from the Council; (iv) conflicts which render the Council Member incapable of fulfilling his or her duties to the Young Lawyers Division; (v) the Council Member's engaging in misconduct which is injurious to the Association; (vi) the Council Member's conviction of any felony or any crime involving moral turpitude; (vii) conduct which would seriously impair the Council Member's ability to perform his/her duties to the Young Lawyers Division or would impair the reputation of the Young Lawyers Division.

In the event of removal, such position shall be filled pursuant to Article II(C), Section 3 of these Bylaws.

## **ARTICLE III** **FUNCTIONS**

### SECTION 1 - Perennial Functions

A. The "Outstanding Young Lawyer" will be selected from the membership of the ~~Section~~ by a majority vote of the Council Members. Criteria for selection of "Outstanding Young Lawyer" shall be determined by the Council and published at least three (3) months prior to the nomination deadline each year. Present or former Council Members are ineligible.

B. The “Bridging the Gap” Institute shall be conducted for the purpose of aiding the new members of the Association in making the transition from the academic atmosphere of the law school to the actual practicing of law.

C. The chair, after consultation with the Council, shall make annual appointments from the membership of the Young Lawyers Division to the Louisiana Law Institute.

D. One Member of the Young Lawyers Division shall be included in the Louisiana delegation to the House of Delegates of the American Bar Association.

E. The Young Lawyers Division shall sponsor such other programs as may be determined advisable.

SECTION 2 - Miscellaneous Functions

The Council shall engage in all other progressive activity beneficial to all inhabitants of our state in general, and in particular, to the members of the Louisiana State Bar Association.

**ARTICLE IV**  
**VOTING BY MEMBERS OF THE YOUNG LAWYERS DIVISION**

SECTION 1 – Eligibility To Vote

Each Member of the Young Lawyers Division shall be eligible to vote in any Young Lawyers Division election or other balloted matter. For purposes of voting, the preferred mailing address of the Member, as carried in the Association’s membership database, shall control.

**ARTICLE V**  
**MODIFICATION OF BYLAWS**

SECTION 1

The Bylaws of the Young Lawyers Division may be amended by a two-thirds vote of the Council Members at any regular or specially called meeting held by the Council.

SECTION 2

The Bylaws of the Young Lawyers Division may also be amended during the annual business meeting by a three-fourths vote of the membership of the Young Lawyers Division attending such meeting.

**RESOLUTION OF THE LOUISIANA STATE BAR ASSOCIATION  
CORPORATE AND BUSINESS LAW SECTION**

**WHEREAS**, the annual dues for the Louisiana State Bar Association (“LSBA”) Corporate and Business Law Section is \$10.00 per member;

**WHEREAS**, the LSBA administrative fee for the Corporate and Business Law Section is \$10.00 per member;

**WHEREAS**, the Corporate and Business Law Section needs to increase its section dues commensurate with the \$10.00 per member administrative fee imposed by the LSBA;

**WHEREAS**, the Corporate and Business Law Section of the LSBA held a meeting on September 13, 2022, for which notice was duly given and a quorum was present in accordance with its bylaws, and at such meeting the Officers and Council Members of the Corporate and Business Law Section unanimously voted and approved to increase its annual dues to \$20.00 per member, and for Douglas W. Redfearn, Chair of the LSBA Corporate and Business Law Section, to present this resolution for approval to the Louisiana State Bar Association House of Delegates;

**NOW, THEREFORE, BE IT RESOLVED**, that the annual dues for participation in the LSBA Corporate and Business Law Section is increased to \$20.00 per section member effective July 1, 2023.

New Orleans, Louisiana, this 7<sup>th</sup> day of November, 2022.

Respectfully submitted:



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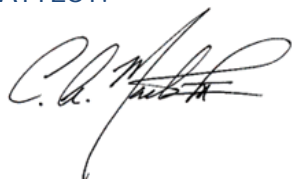
**DOUGLAS W. REDFEARN**  
**Chair, LSBA Corporate and Business Law Section**  
**Duly authorized agent for the above noted section for the**  
**purposes of this Resolution**



APPROVED BY HOUSE OF DELEGATES  
FOR 138 (96%)  
AGAINST 6 (4%)  
JANUARY 21, 2023  
BATON ROUGE, LA

RATIFIED UNANIMOUSLY BY BOARD OF GOVERNORS  
JANUARY 21, 2023  
BATON ROUGE, LA

ATTEST:

A handwritten signature in black ink, appearing to read "C.A. 'Hap' Martin III". The signature is stylized and cursive, with a large, sweeping flourish at the end.

C.A. "Hap" Martin III  
Secretary, Louisiana State Bar Association

**RESOLUTION PROPOSED BY THE  
RULES OF PROFESSIONAL CONDUCT COMMITTEE  
OF THE LOUISIANA STATE BAR ASSOCIATION**

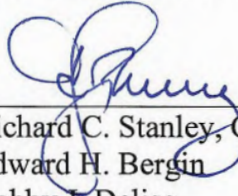
**WHEREAS**, the LSBA Rules of Professional Conduct Committee (the “Committee”) was established, appointed and has been charged, as part of its mission, to monitor and evaluate developments in legal ethics and, when appropriate, to recommend changes to the Louisiana Rules of Professional Conduct; and

**WHEREAS**, the Committee formed a Subcommittee to examine, research, study and consider changes to Rule 1.10 regarding imputation of conflicts to non-lawyers such as law clerks, secretaries and paralegals.

**WHEREAS**, the Committee unanimously recommends that the attached revision to the LA Rule of Professional Conduct 1.10, labeled Exhibit A, be adopted.

**NOW THEREFORE BE IT RESOLVED THAT** the LSBA House of Delegates approve the attached recommendations of the LSBA Rules of Professional Conduct Committee and that those recommendations be submitted to the Court for its consideration.

Respectfully submitted,  
LSBA Rules of Professional Conduct Committee

  
Richard C. Stanley, Chair  
Edward H. Bergin  
Bobby J. Delise  
Andrew J. Geiger, Ad Hoc  
Paul J. Hebert  
Stephen Jay Herman  
Wayne J. Lee  
Richard K. Leefe  
Melissa M. Lessell, Ad Hoc  
Christine Lipsey  
Andrew D. Mendez, Ad Hoc  
Darrell J. Papillion  
Joseph P. Raspanti  
Alicia Reitzell, Ad Hoc  
William M. Ross  
Leslie J. Schiff  
Marta Ann Schnabel  
Joseph L. Shea, Jr.  
Lauren A. McHugh, Supreme Court Liaison  
Charles B. Plattsmier, Disciplinary Liaison

This 28<sup>th</sup> day of October, 2022.

**Rule 1.10. Imputation of Conflicts of Interest: General Rule**

- (a) While lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by Rules 1.7 or 1.9, unless the prohibition is based on a personal interest of the prohibited lawyer and does not present a significant risk of materially limiting the representation of the client by the remaining lawyers in the firm.
- (b) When a lawyer has terminated an association with a firm, the firm is not prohibited from thereafter representing a person with interests materially adverse to those of a client represented by the formerly associated lawyer and not currently represented by the firm, unless:
  - (1) the matter is the same or substantially related to that in which the formerly associated lawyer represented the client; and
  - (2) any lawyer remaining in the firm has information protected by Rules 1.6 and 1.9(c) that is material to the matter.
- (c) A disqualification prescribed by this rule may be waived by the affected client under the conditions stated in Rule 1.7.
- (d) The disqualification of lawyers associated in a firm with former or current government lawyers is governed by Rule 1.11
- (e) See related resolution regarding proposed 1.10(e)
- (f) See related resolution regarding proposed 1.10(f)
- (g) The rule in paragraph (a) does not prohibit representation by others in the law firm where the person prohibited from involvement in a matter is a nonlawyer, such as a paralegal or legal secretary. Nor does paragraph (a) prohibit representation if the lawyer is prohibited from acting because of events before the person became a lawyer, for example, work that the person did as a law student. Such persons, however, shall be screened from any personal participation in the matter to avoid communication to others in the firm of confidential information that both the nonlawyers and the firm have a legal duty to protect.

APPROVED BY HOUSE OF DELEGATES  
FOR 134 (86%)  
AGAINST 21 (14%)  
JANUARY 21, 2023  
BATON ROUGE, LA

RATIFIED UNANIMOUSLY BY BOARD OF GOVERNORS  
JANUARY 21, 2023  
BATON ROUGE, LA

ATTEST:



C.A. "Hap" Martin III  
Secretary, Louisiana State Bar Association

**RESOLUTION PROPOSED BY THE  
RULES OF PROFESSIONAL CONDUCT COMMITTEE  
OF THE LOUISIANA STATE BAR ASSOCIATION**

**WHEREAS**, the LSBA Rules of Professional Conduct Committee (the “Committee”) was established, appointed and has been charged, as part of its mission, to monitor and evaluate developments in legal ethics and, when appropriate, to recommend changes to the Louisiana Rules of Professional Conduct; and

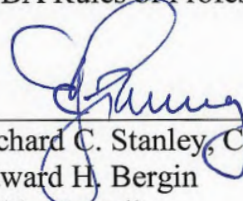
**WHEREAS**, the Committee formed a Subcommittee to examine, research, study and consider changes to Rule 1.10, including the screening of lateral hires; and

**WHEREAS**, the Committee reviewed the Tennessee conflicts rule; and

**WHEREAS**, the Committee by a split vote of 6-3 recommends that the attached revision to the LA Rule of Professional Conduct 1.10, labeled Exhibit A, be adopted.

**NOW THEREFORE BE IT RESOLVED THAT** the LSBA House of Delegates approve the attached recommendations of the LSBA Rules of Professional Conduct Committee and that those recommendations be submitted to the Court for its consideration.

Respectfully submitted,  
LSBA Rules of Professional Conduct Committee



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Richard C. Stanley, Chair

Edward H. Bergin

Bobby J. Delise

Andrew J. Geiger, Ad Hoc

Paul J. Hebert

Stephen Jay Herman

Wayne J. Lee

Richard K. Leefe

Melissa M. Lessell, Ad Hoc

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William M. Ross

Leslie J. Schiff

Marta Ann Schnabel

Joseph L. Shea, Jr.

Lauren A. McHugh, Supreme Court Liaison

Charles B. Plattsmier, Disciplinary Liaison

This 28<sup>th</sup> day of October, 2022.

**Rule 1.10. Imputation of Conflicts of Interest: General Rule**

- (a) While lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by Rules 1.7 or 1.9, unless the prohibition is based on a personal interest of the prohibited lawyer and does not present a significant risk of materially limiting the representation of the client by the remaining lawyers in the firm.
- (b) When a lawyer has terminated an association with a firm, the firm is not prohibited from thereafter representing a person with interests materially adverse to those of a client represented by the formerly associated lawyer and not currently represented by the firm, unless:
- (1) the matter is the same or substantially related to that in which the formerly associated lawyer represented the client; and
  - (2) any lawyer remaining in the firm has information protected by Rules 1.6 and 1.9(c) that is material to the matter.
- (c) Except with respect to paragraph (d) below, if a lawyer is personally disqualified from representing a person with interests adverse to a client of a law firm with which the lawyer was formerly associated, other lawyers currently associated in a firm with the personally disqualified lawyer may represent the person, notwithstanding paragraph (a) above, if both the personally disqualified lawyer and the lawyers who will represent the person on behalf of the firm act reasonably to:
- (1) identify that the personally disqualified lawyer is prohibited from participating in the representation of the current client; and
  - (2) determine that no lawyer representing the current client has acquired any information from the personally disqualified lawyer that is material to the current matter and is protected by Rule 1.9(c); and
  - (3) promptly implement screening procedures to effectively prevent the flow of information about the matter between the personally disqualified lawyer and the other lawyers in the firm; and
  - (4) advise the former client in writing of the circumstances that warranted the implementation of the screening procedures required by this Rule and of the actions that have been taken to comply with this Rule.
- (d) The procedures set forth in paragraph (c) may not be used to avoid imputed disqualification of the firm, if:
- (1) the lawyer's representation of the former client was in connection with an adjudicative proceeding that is directly adverse to the interests of a current client of the firm; and
  - (2) the proceeding between the firm's current client and the lawyer's former client

is still pending at the time the lawyer changes firms.

- (e) A disqualification prescribed by this rule may be waived by the affected client under the conditions stated in Rule 1.7.
- (f) The disqualification of lawyers associated in a firm with former or current government lawyers is governed by Rule 1.11
- (g) **See related resolution regarding proposed 1.10(g)**

APPROVED BY HOUSE OF DELEGATES  
FOR 116 (76%)  
AGAINST 37 (24%)  
JANUARY 21, 2023  
BATON ROUGE, LA

RATIFIED UNANIMOUSLY BY BOARD OF GOVERNORS  
JANUARY 21, 2023  
BATON ROUGE, LA

ATTEST:

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C.A. "Hap" Martin III  
Secretary, Louisiana State Bar Association