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
   - Adrianne 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’Bryon 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 24th Judicial District and second by Ann S. Siddall of the 7th 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 1st through 19th 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, 12th 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, 10th Judicial District
- Sandra K. Cosby, 24th Judicial District
- Shannon Seiler Dartez, 15th Judicial District

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

- Keenan K. Kelly, 10th 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 24th 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 15th Judicial District moved its adoption, which was duly seconded by Robert A. Kutcher of the 24th Judicial District.

   Mr. Dwyer then called upon 14th 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:

   - Approve 119
   - Reject 37
   - Abstain 2

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 15th 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:

   - Approve 146
   - Reject 2
   - Abstain 4
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:

- Approve: 138
- Reject: 6
- Abstain: 5

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 24th 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:

- Approve: 134
- Reject: 21
- Abstain: 2

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 24th 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:

- Approve 116
- Reject 37
- Abstain 5

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
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  
PRESENT  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  
PRESENT  James L. Klock  
PRESENT  Andrew B. Mims  
PRESENT  Jared E. Nelson  
PRESENT  Donovan J. O’Pry II BY PROXY TO Geremy Garcia  
PRESENT  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  
PRESENT  Eric P. Duplantis  
PRESENT  Pamela A. Lemoins  
PRESENT  Marsha McNulty  
PRESENT  Thailund Treymeine Porter-Green  
PRESENT  Andrew Reed  
PRESENT  Julie Des Ormeaux Rosenzweig  
PRESENT  Maggie Trahan Simar

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

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

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

TWENTIETH JUDICIAL DISTRICT (2 seats) Parishes of East Feliciana & West Feliciana
PRESENT  Samuel Christopher D’Aquilla
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
PRESENT  Colt Justin Fore
PRESENT  Ivy Landry Graham
PRESENT  D. Blayne Honeycutt
PRESENT  Robert W. Morgan
PRESENT  Joseph Paul Rumage, 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
PRESENT Michael E. Holoway
PRESENT Andrew B. Joyner
PRESENT Robert C. Lehman
PRESENT R. Bradley Lewis
PRESENT Ana E. Lopez
PRESENT Sean Michael Morrison
PRESENT 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
PRESENT 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.
PRESENT Christy M. Howley
PRESENT Robert A. Kutzer
PRESENT Adrian F. Lapeyronnie III
PRESENT Richard K. Leefe
PRESENT Sowmya Mandava
PRESENT 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
PRESENT Aaron R. Wilson

TWENTY-SEVENTH JUDICIAL DISTRICT (4 seats) Parish of St. Landry
PRESENT Scherri N. Guidry
PRESENT Francis A. Olivier III
PRESENT 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
PRESENT 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
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 Ecuyer
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  
PRESENT  D. Skylar Rosenbloom  
PRESENT  Louis Gravois Schott  
PRESENT  Timothy H. Scott  
PRESENT  Karen B. Sher  
PRESENT  Ronald J. Sholes, Jr.  
PRESENT  Patrick A. Talley, Jr.  
PRESENT  Bradley J. Tate  
PRESENT  Edward D. Wegmann  
PRESENT  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  
PRESENT  Cade R. Cole, Tax Section  
PRESENT  Ashley F. Dees, Immigration Law  
PRESENT  Steven J. Farber, Government & Public Law  
PRESENT  Jean M. Faria, Criminal Law  
PRESENT  BY PROXY TO Carlesia Bibbins  
PRESENT  Melissa K. Frey, Public Utility Section  
PRESENT  Edgar D. Gankendorff, Art, Entertainment & Sports Law  
PRESENT  Lauren E. Godshall, Environmental Law  
PRESENT  Demarcus J. Gordon, Minority Involvement  
PRESENT  Edward T. Hayes, International Law  
PRESENT  Steven J. Herman, Class Action Mass Tort  
PRESENT  Leland G. Horton, Mineral Law  
PRESENT  Andrew B. Kingsley, Labor Relation & Employment Law  
PRESENT  Stephen Kepper, Intellectual Property Law  
PRESENT  Lynn Luker, Civil Law & Litigation  
PRESENT  Alexander M. McIntyre, Antitrust & Trade Regulation Law  
PRESENT  Courtney P. Newton, Administrative Law  
PRESENT  Warren A. Perrin, Francophone  
PRESENT  Leonor E. Prieto, Solo Small Firm  
PRESENT  Lamar Pugh, Health Law Section  
PRESENT  Douglas W. Redfearn, Corporate & Business Law  
PRESENT  John W. Redmann, Bench Bar  
PRESENT  H. Bruce Shreves, Fidelity Surety & Construction Law
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

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

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

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

1 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 incident 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.

E. 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.

F. 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.

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 has 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 Association. 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 that which render the Council Member incapable of fulfilling his/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

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:

1 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.
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 7th day of November, 2022.

Respectfully submitted:

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:

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

[Signature]
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 Reitzeil, 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 28th 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

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. Platsmier, Disciplinary Liaison

This 28th 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:

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