Louisiana State Bar Association

Serving the Public. Serving the Profession.

BOARD OF GOVERNORS

3 p.m. ~ Friday, April 11, 2014
New Orleans, LA

MINUTES

President Richard K. Leefe called to order the meeting of the Board of Governors of the Louisiana State Bar Association at 3 p.m., Friday, April 11, 2014 in New Orleans, Louisiana. Business was conducted in accordance with the agenda below.

AGENDA

Agenda Item 1. Roll Call

Present were:

President, Richard K. Leefe
President-Elect, Joseph L. Shea, Jr.
Secretary, Barry H. Grodsky
Treasurer, Steven G. Durio
Immediate Past President, John H. Musser, IV
Chair, Young Lawyers Section, Kyle A. Ferachi (by phone)
First Board District Representative, H. Minor Pipes III
Fourth Board District Representative, Shayna L. Sonnier (by phone)
Fifth Board District Representative, Michael E. Holoway
Eighth Board District Representative, Karelia R. Stewart
At-Large Member, Julie H. Ferris
At-Large Member, Mickey S. deLaup
From the Faculty of LSU Law Center, John M. Church
From the Faculty of Tulane University Law School, Ronald J. Scalise (by phone)
From the Louisiana State Law Institute, Marguerite L. Adams
House of Delegates Committee on Liaison Chair, Jeffrey A. Riggs
House of Delegates Committee on Liaison Member, Robert A. Kutcher

Also present were:

President-Elect Designee, Mark A. Cunningham
Executive Director, Loretta Larsen, CAE

Associate Executive Director, Cheri Cotogno Grodsky
Access to Justice Director, Monte Mollere
Communications Director, Kelly Wells Ponder
Information Technology Director, Tony LaVerde
Director of Member Outreach and Diversity, Tricia R. Pierre
Executive Assistant, Mindi Hunter

Absent were:

First Board District Representative, David W. Leefe
Second Board District Representative, Stephen I. Dwyer
Third Board District Representative, Dona K. Renegar
Sixth Board District Representative, Robert G. Levy
Seventh Board District Representative, Thomas M. Hayes III
At-Large Member, Daniel A. Cavell

Agenda Item 2. Introduction of New Staff Member – Loretta Larsen

Ms. Larsen introduced Tricia R. Pierre, who joined the LSBA staff as Director of Member Outreach & Diversity on March 17.

Agenda Item 3. <u>Consent Calendar</u>

Upon motion by Mr. Shea and second by Mr. Musser, the following items on the Consent Calendar were approved by the Board without discussion or debate:

a. **Approval of Minutes**
   Consideration of approval of minutes from January 24, 2014 and January 25, 2014 Board of Governors meetings, held in Baton Rouge.
b. **Louisiana Center for Law and Civic Education**
   Periodic report from the LCLCE, as required by the April 2010 cooperative endeavor agreement.

Agenda Item 4. Ratification of Email Votes

After a brief introduction by Ms. Larsen and upon motion by Mr. Riggs and second by Mr. Holoway, the Board unanimously ratified its email votes to approve the Pro Bono and Children's Law award recipients.

Agenda Item 5. Budget Committee Recommendations – Steven G. Durio

The Board discussed the Budget Committee's recommendations with regard to amendments to the FY 2013/2014 budget. At Mr. Durio's request, Mr. Shea advised that the additional $15,000 proposed for the Local Bar Outreach expense line item was to install videoconferencing equipment at the local bar offices in Baton Rouge, Lafayette and Shreveport. The Board requested that there be written agreements between the LSBA and local bar associations with regard to the installation, maintenance and use of the equipment and videoconferencing account.

Mr. Durio and Ms. Larsen presented an overview of the remaining proposed amendments to the FY 2013/2014 budget, noting that the amendments resulted in an additional $4,800 contribution to reserves.

Upon motion by Mr. Grodsky and second by Mr. Musser, the Board unanimously approved the proposed amendments.

Agenda Item 6. Renewal of Lawyers Oath – Richard K. Leefe

Mr. Leefe referred the Board to the materials in the handbook and advised that the Executive Committee had voted to recommend to the Board that it send a letter to Charles R. Moore inviting him to address the possible renewal of the Lawyers Oath with the House of Delegates at its June 5 meeting in Destin.

After a brief discussion and upon motion by Mr. Musser and second by Mr. Holoway, the Board voted unanimously to accept the recommendation of the Executive Committee.

Agenda Item 7. Federal Tax Proposal – Richard K. Leefe

Mr. Leefe reviewed with the Board the ABA resolution in opposition to a federal tax proposal which would require law firms with gross receipts in excess of $10 million to utilize accrual rather than cash method of accounting, resulting in firms being forced to pay taxes on income they have not yet received.

After some discussion and upon motion by Mr. Holoway and second by Mr. Musser, the Board unanimously approved the following:

> RESOLVED, that the Louisiana State Bar Association opposes any proposed legislation, regulations, or other governmental measures that would require law firms and other personal service businesses that now compute taxable income on the

cash receipts and disbursements method of accounting to convert to the accrual method of accounting, thereby accelerating their tax payments.

Agenda Item 8. LAP Funding – Richard K. Leefe and Joseph L. Shea, Jr.

Mr. Leefe advised that the Board would not consider the funding request at this time because the LSBA was awaiting additional information from the Lawyers Assistance Program. Mssrs. Leefe, Shea and Cunningham spoke to the issue, noting the importance of LAP and their desire for the LSBA to provide additional funding to enable LAP to continue to provide services to Louisiana attorneys. After some discussion, Mr. Leefe advised that it was likely that request for additional LAP funding by the LSBA would be brought to the Board at its June meeting.

Agenda Item 9. Committee on Bar Review – Richard K. Leefe and Shayna L. Sonnier

Ms. Sonnier advised that the committee was awaiting additional information from LSU and Southern prior to scheduling the next meeting. There was some discussion on overall issues related to the bar exam and how those issues were likely impacting the passage rate.

Agenda Item 10. 2014 Annual Meeting/Summer School for Lawyers and Judges – Joseph L. Shea, Jr.

a. Mr. Shea briefly reviewed plans for the meeting and referred Board members to the schedule in their materials.

b. Mr. Shea reviewed the registrations to date and encouraged Board members who had not already done so to register and to encourage their colleagues to register as well.

c. Mr. Shea advised that the LSBA had reached a financial arrangement with the Louisiana Judicial College whereby LJC will receive a flat fee for each judge who registers for the meeting. He referred Board members to the handbook for additional details.

Agenda Item 11. Member Outreach and Diversity – Tricia R. Pierre

a. Ms. Pierre gave a brief overview of projects and accomplishments and referred the Board to her comprehensive written report

b. Ms. Pierre advised that the Diversity Committee was recommending the following for the Human Rights Awards:
   - Organization – Adams & Reese

- Individual – Lynn Luker

Upon motion by Mr. Pipes and second by Mr. Holoway, the Board unanimously approved the Committee's recommendations.

Agenda Item 12. Legislation Committee Meeting – Richard K. Leefe

Mr. Leefe referred members to the list of bills which would be considered by the Legislation Committee at its meeting on April 12. He urged Board members to attend the Committee's meeting and advised that the Board would convene immediately thereafter to consider the Committee's recommendations.

Agenda Item 13. Report of the President – Richard K. Leefe

Mr. Leefe reported to the Board on the following items:

a. Festival International/Francophone Program
b. 2014 ABA Day in Washington, D.C.
c. Meetings with Chief Justice Johnson
d. May 7 Deadline for Resolutions – June 5, 2014 House of Delegates Meeting
e. Fifth Circuit Judicial Conference
f. May 20 Pro Bono Awards Ceremony at Louisiana Supreme Court
g. Final Meeting – The final meeting of the 2013/2014 Board of Governors will be held at 1 p.m., Monday, June 2 at Sandestin Golf & Beach Resort. There will be a substantive meeting, followed by lunch for members and their spouses/guests. Details to follow later this month.

Agenda Item 14. Report of the President-Elect – Joseph L. Shea, Jr.

Mr. Shea reported to the Board on the following matters:

a. 2014/2015 Board of Governors Orientation – Thursday, May 1 through Saturday, May 3 at Four Seasons Resort & Club Dallas at Las Colinas.
b. Swearing In of 2014/2015 Board Members – Installation Dinner at 7 p.m., Thursday, June 5 at Sandestin.

Agenda Item 15. Report of the Secretary – Barry H. Grodsky

Mr. Grodsky waived his report.

Agenda Item 16. Report of the Treasurer – Steven G. Durio

Mr. Durio waived his report.

Agenda Item 17. Report of the Immediate Past President – John H. Musser IV

Mr. Musser waived his report.

Agenda Item 18. Report of the Young Lawyers Division Chair – Kyle A. Ferachi

Mr. Ferachi reported to the Board on the High School Mock Trial Competition, the YLD's partnerships with diversity bar associations for meet and greets and plans for the 2014/2015 orientation, which will be held in conjunction with the Board of Governors.

Agenda Item 19. Report of the Executive Director – Loretta Larsen

Ms. Larsen advised that the annual Staff Retreat would be held Thursday, April 17, that the staff was on schedule with preparations for electronic single billing, and that plans were continuing for the May 2014 orientation. She further reminded Board members to continue to work with sections to which they serve as liaisons to ensure full compliance with the May 1 section reporting deadline.

Agenda Item 20. Report of the Associate Executive Director – Cheri Cotogno Grodsky

Ms. Grodsky gave a brief report on the Solo & Small Firm Conference and referred the Board to her written report.

Agenda Item 21. Executive Session – Litigation Update

Upon motion and second, the Board went into a brief Executive Session to discuss ongoing litigation.

Agenda Item 22. Other Matters

The Board considered the ratification of the unanimous June 2013 email vote to appoint the following members to the Louisiana Civil Justice Center Board of Directors:

Officers
Marta-Ann Schnabel, President (2-year term)
David F. Bienvenu, Vice President (1-year term)
Patricia A. Garcia, Treasurer (2-year term)

Directors

One-Year Terms:	Ann K. Gregorie
	Brian D. Lenard
	John G. Swift
Two-Year Terms:	Hon. Tiffany G. Chase
	Mark A. Cunningham
	Michael D. Skinner
Three-Year Terms:	Cristin G. Fitzgerald
	Amelia Williams Koch
	Loretta Larsen

Upon motion by Mr. Shea and second by Ms. Ferris, the Board unanimously ratified the appointments it had made in June 2013.

Adjourn

There being no further business, the meeting was adjourned at 4:30 p.m.

Respectfully submitted:

Barry H. Grodsky
Secretary

APPROVED BY BOARD OF GOVERNORS
JUNE 2, 2014
DESTIN, FL