



Serving the Public. Serving the Profession.

BOARD OF GOVERNORS

Friday, April 13, 2018

Lafayette, LA

*** MINUTES ***

President Dona K. Renegar called the meeting to order at 2:10 p.m. on Friday, April 13, 2018, in Lafayette, Louisiana. Business was conducted in accordance with the agenda below.

Agenda Item 1. Roll Call

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

President, Dona K. Renegar
President-Elect, Barry H. Grodsky
Secretary, John E. McAuliffe, Jr
Chair, Young Lawyers Division, Bradley J. Tate
First Board District Representative, Darryl J. Foster
Second Board District Representative, Stephen I. Dwyer
Third Board District Representative, Shannon Seiler Dartez
Fourth Board District Representative, J. Lee Hoffoss, Jr.
Fifth Board District Representative, Edward J. Walters, Jr.
Fifth Board District Representative, Valerie T. Schexnayder
Sixth Board District Representative, Charles D. Elliott
Seventh Board District Representative, C. A. "Hap" Martin, III
Eighth Board District Representative, Marjorie L. "Meg" Frazier
At-Large Member, Daniel A. Cavell
At-Large Member, Jermaine Guillory
From the Faculty of LSU Law Center, John M. Church
From the Faculty of Tulane University Law School, Ronald J. Scalise, Jr.
From the Louisiana State Law Institute, L. Kent Breard, Jr.
House of Delegates Committee on Liaison Chair, Julie Baxter Payer
House of Delegates Committee on Liaison Member, Sandra K. Cosby
House of Delegates Committee on Liaison Member, Jeffrey A. Riggs

Also present were:

President-Elect Designee, Robert A. Kutcher
Treasurer-Elect Shayna L. Sonnier
ABA State Delegate, Frank X. Neuner, Jr.
Access to Justice Commission Co-Chair, Jeffrey K. Coreil

**Louisiana State Bar Association
Board of Governors
April 13 & 14, 2018 Minutes
Page 2**

Executive Director, Loretta Larsen, CAE
Associate Executive Director, Cheri Cotogno Grodsky
Access to Justice Director, Monte T. Mollere
Communications Director, Kelly Wells Ponder
Director of Member Outreach and Diversity, Tricia R. Pierre
Executive Assistant, Mindi Hunter

Absent were:

Immediate Past President, Darrel J. Papillion
Treasurer, H. Minor Pipes III
First Board District Representative, D. Skylar Rosenbloom
At-Large Member, Monique Y. Metoyer

Agenda Item 2. Consent Calendar

- a. **Approval of Minutes** - Consideration of approval of minutes from January 19 and 20, 2018 meetings held in Baton Rouge; and
- b. **Louisiana Center for Law and Civic Education** - Periodic report from the LCLCE, as required by the April 2010 cooperative endeavor agreement.

Upon motion by Mr. Hoffoss and second by Ms. Schexnayder, the Board unanimously approved the Consent Calendar without discussion or debate.

Agenda Item 3. Presentations – Frank X. Neuner Jr. and Jeffery K. Coreil

- a. **American Bar Association Report** – Mr. Neuner, who is the American Bar Association State Delegate, gave a brief description of LSBA representatives in the ABA. Ms. Renegar recognized and congratulated Mr. Neuner on being a recipient of the 2018 ABA Solo and Small Firm Lifetime Achievement Award.
- b. **Access to Justice Commission Report** – Ms. Renegar introduced Mr. Coreil, who is a co-chair of the Access to Justice Committee and co-chair of the Access to Justice Commission. He described the composition of the Commission and gave an overview of the Commission's current initiatives.

Agenda Item 4. Access to Justice Update – Monte T. Mollere

Mr. Mollere gave an update on Access to Justice department projects and initiatives. He invited and encouraged Board members to attend the April 18 Breakfast with the legislators. He advised that the Pro Bono Summit has been rescheduled for May 22 and will now be held in conjunction with the Pro Bono Awards Ceremony at the Louisiana Supreme Court.

Agenda Item 5. MCLE Transition – Loretta Larsen

Ms. Larsen provided an update on MCLE transition to LSBA, noting that the physical transition will most likely take place during the third or fourth quarter of this year.

**Louisiana State Bar Association
Board of Governors
April 13 & 14, 2018 Minutes
Page 3**

Agenda Item 6. Judges and Lawyers Assistance Program – Barry H. Grodsky

Mr. Grodsky noted that JLAP received a clean audit and that its financial management systems are in good overall shape.

Agenda item 7. Legislation Committee – Robert A. Kutcher

Mr. Kutcher gave a preliminary report on the agenda for the April 14, 2018 Legislation Committee meeting. He reminded Board members that the Board will reconvene immediately following the Legislation Committee meeting to consider committee recommendations.

Agenda Item 9. Judges and Lawyers Assistance Program – Barry H. Grodsky

Mr. Grodsky advised that consideration of the JLAP FY 2018/2019 budget would be deferred until the first meeting of the 2018/2019 Board of Governors, when the LSBA budget would be considered.

Agenda Item 10. LCJC Justice Tour Request – Robert A. Kutcher

Mr. Kutcher reviewed the request from Louisiana Civil Justice Center for \$15,000 to conduct its annual Justice Tour. After some discussion and upon motion by Mr. Grodsky and second by Mr. McAuliffe, the Board voted unanimously to allocate \$10,000 to the Justice Tour, with the caveat that LCJC provide a written report regarding spring programs for distribution at the final meeting of the 2017/2018 Board of Governors.

Agenda Item 11. Ratification of At-Large Appointment for 2018-2021 – Barry H. Grodsky

Upon motion by Mr. Grodsky and second by Mr. Dwyer, the Board voted unanimously to ratify the appointment of Lynn Luker of New Orleans as the at-large representative on the Board of Governors for the term beginning June 2018 and ending June 2021.

Agenda Item 12. Ratification of Pro Bono and Children's Law Award Votes – Monte T. Mollere

Upon motion by Mr. Cavell and second by Mr. Martin, with Mr. Elliott abstaining, the Board voted unanimously to ratify the recipients of the Pro Bono and Children's Law Awards which were previously approved by email vote.

Agenda Item 13. Diversity Awards – Tricia R. Pierre

Ms. Pierre gave a brief introduction and referred members to her memorandum in the materials. Upon motion by Mr. McAuliffe and second by Mr. Grodsky, the Board unanimously approved the following award recipients:

- Chief Justice Bernette Joshua Johnson Trailblazer Award – Pamela W. Carter, Carter Law Group, LLC, River Ridge, LA; and
- Guardian of Diversity Award – Greater New Orleans Louis A. Martinet Legal Society, Inc.

Agenda Item 14. Council on the Status of Grandparents Raising Grandchildren – Dona K. Renegar and Monte T. Mollere

Mr. McAuliffe gave a brief description of what an appointment to the Council would entail, suggesting that the appointment should be a member who is familiar with family law. After a brief discussion and upon motion by Ms. Dartez and second by Mr. Hoffoss, the Board voted unanimously to approve the appointment of SLLS attorney Talya Jackson Bergeron to this position.

Agenda Item 15. Report of the President – Dona K. Renegar

- a. **2018 Annual Meeting/Summer School for Lawyers and Judges** – Ms. Renegar encouraged Board members to register if they had not already done so.
- b. **Meetings with Chief Justice Bernette Joshua Johnson** – Ms. Renegar reported on her discussions with the Chief Justice.
- c. **Find Legal Help** – Mr. Mollere reported on resources now available on LSBA.org.

Agenda Item 16. Report of the President-Elect – Barry H. Grodsky

- a. **2018-2019 Board of Governors/YLD Council Orientation** – Mr. Grodsky reminded members to make plans to attend Orientation to be held Thursday, May 3 through Saturday, May 5, at Grand Hotel Marriott Resort, Golf Club & Spa.
- b. **Swearing In of 2018/2019 Board Members** – Mr. Grodsky reminded members that they would be sworn in at the Installation Luncheon at noon, Thursday, June 7 at Sandestin. Reception will immediately follow General Assembly and House of Delegates, and Luncheon will immediately follow reception.
- c. **Other Matters** – Mr. Grodsky referred the Board to the written materials, reporting that the Supreme Court approved the proposed revisions to the Code of Professionalism for Attorneys.

Agenda Item 17. Report of the Secretary – John E. McAuliffe, Jr.

Mr. McAuliffe noted that the June/July edition of the *Journal* was complete.

Agenda Item 18. Report of the Treasurer – H. Minor Pipes III

In Mr. Pipes' absence, no report was given.

Agenda Item 19. Report of the Immediate Past President – Darrel J. Papillion

In Mr. Papillion's absence, no report was given.

Agenda Item 20. Report of the Young Lawyers Division Chair – Bradley J. Tate

Mr. Tate reported on YLD activities, including High School Mock Trial and Wills for Heroes. He also asked the Board for its approval to expand the Wills for Heroes program to include veterans and noted that the YLD Board had already approved. Upon motion by Mr. Tate and second by Mr. Elliott, the Board unanimously approved this expansion to the Wills for Heroes program.

Mr. Tate also reported that the ABA is considering restructuring the YLD Representatives to alternate

**Louisiana State Bar Association
Board of Governors
April 13 & 14, 2018 Minutes
Page 5**

with other states and noted that he will be writing a letter in opposition of this.

Agenda Item 21. Report of the Executive Director – Loretta Larsen

Ms. Larsen advised that the final meeting of the 2017/2018 Board will be held Wednesday, June 6, in conjunction with the Annual Meeting, and encouraged all members to attend. She also advised that the Budget Committee was scheduled to meet on Friday, May 18, at the Louisiana Bar Center to consider the FY 2018/2019 budget and invited all Board members to attend.

Agenda Item 22. Report of the Associate Executive Director – Cheri Cotogno Grodsky

Ms. Grodsky referred members to her written report.

Agenda Item 23. Other Matters

- a. Insurance Committee Resolution** – After a brief introduction and upon motion by Ms. Dartez, and second by Mr. Grodsky, the Board voted unanimously to present to the House of Delegates at its June 2018 meeting the resolution (attached as Addendum A) to combine the Group Insurance and Legal Malpractice Insurance Committees, in accordance with January 2018 BOG action.
- b. Member Outreach and Diversity Programming Updates** – Ms. Pierre referred members to the written materials, noting that the Leadership class did a great job with their class project.
- c. Other Matters** – Ms. Renegar reported that LSBA member and ABA President-Elect Nominee Judy Perry Martinez was requesting that the Board of Governors consider co-sponsorship of the American Bar Association resolution urging Louisiana to require unanimous criminal jury verdicts in certain felony criminal cases. After a lengthy discussion, the Board took no action on this request.

Upon motion and second, the meeting was adjourned at 4 p.m., with plans to reconvene immediately following the Legislation Committee meeting.

SATURDAY, APRIL 14, 2018

The Board reconvened at 1:05 p.m., on Saturday, April 14, to consider the recommendations of the Legislation Committee.

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

President, Dona K. Renegar
President-Elect, Barry H. Grodsky
Immediate Past President, Darrel J. Papillion
Secretary, John E. McAuliffe, Jr.
First Board District Representative, Darryl J. Foster
Second Board District Representative, Stephen I. Dwyer
Third Board District Representative, Shannon Seiler Dartez
Fourth Board District Representative, J. Lee Hoffoss, Jr.
Fifth Board District Representative, Edward J. Walters, Jr.

Louisiana State Bar Association
Board of Governors
April 13 & 14, 2018 Minutes
Page 6

Fifth Board District Representative, Valerie T. Schexnayder
Sixth Board District Representative, Charles D. Elliott
Seventh Board District Representative, C. A. "Hap" Martin, III
Eighth Board District Representative, Marjorie L. "Meg" Frazier
At-Large Member, Daniel A. Cavell
At-Large Member, Jermaine Guillory
From the Faculty of LSU Law Center, John M. Church
From the Faculty of Tulane University Law School, Ronald J. Scalise, Jr.
From the Louisiana State Law Institute, L. Kent Breard
House of Delegates Committee on Liaison Chair, Julie Baxter Payer
House of Delegates Committee on Liaison Member, Sandra K. Cosby

Also present were:

President-Elect Designee, Robert A. Kutcher
Treasurer-Elect, Shayna L. Sonnier
Legislation Committee Chair Keenan K. Kelly
LSBA Lobbyist, Larry L. Murray
Executive Director, Loretta Larsen, CAE
Ethics Counsel/Legislation Committee Staff Liaison, Richard P. Lemmler, Jr.

Absent were:

Treasurer, H. Minor Pipes III
Chair, Young Lawyers Division, Bradley J. Tate
First Board District Representative, D. Skylar Rosenbloom
At-Large Member, Monique Y. Metoyer
House of Delegates Committee on Liaison Member, Jeffrey A. Riggs

The Board reviewed the Legislation Committee's recommendations and voted as set forth below to move a number of Legislation Committee position recommendations to NO POSITION.

- SB 364 – Upon motion and second, the Board voted unanimously to move to NO POSITION the Legislation Committee's recommendation to SUPPORT this bill.
- SB 538 – Upon motion by Mr. Grodsky and second by Mr. Church, the Board voted unanimously to move to NO POSITION the Legislation Committee's recommendation to SUPPORT this bill.
- HB 167 – Upon motion by Mr. McAuliffe and second by Mr. Cavell, the Board voted to move to NO POSITION the Legislation Committee's recommendation to OPPOSE this bill, with Ms. Payer voting to retain the committee's position.
- HB 560 – Upon motion by Ms. Payer and second by Mr. Cavell, the Board voted to move to NO POSITION the Legislation Committee's recommendation to OPPOSE this bill, with Mr. McAuliffe voting to retain the committee's position.
- HB 713 – Upon motion by Mr. Martin and second by Mr. Cavell, the Board voted to move to NO POSITION the Legislation Committee's recommendation to OPPOSE this bill, with

**Louisiana State Bar Association
Board of Governors
April 13 & 14, 2018 Minutes
Page 7**

Mr. Hoffoss voting to retain the committee's position.

Upon motion by Mr. Grodsky and second by Mr. Martin, the Board voted unanimously to approve the Legislation Committee's recommendations as follows:

SUPPORT

HB 6
HB 251
HB 354
HB 365
HB 533
HB 605
HB 698
HB 701
HCR 31
SB 61
SB 69
SB 117
SB 118
SB 138
SB 139
SB 219
SB 228
SB 243
SB 262
SB 278
SB 536

OPPOSE

HB 73, unless clarified that this was requested by the Supreme Court
HB 136
HB 209
HB 271
HB 332
HB 370
HB 391
HB 472
HB 503
HB 505
HB 550
HB 572

**Louisiana State Bar Association
Board of Governors
April 13 & 14, 2018 Minutes
Page 8**

HB 709

HB 837

SB 44

SB 72

SB 112, unless cap amended to \$10,000 and representative required to be member or shareholder

SB 260, unless clarified to exclude lawyers

SB 303

SB 308

SB 355

SB 358

SB 361, unless clarified to exclude lawyers

SB 383

SB 492

Ms. Renegar thanked Mr. Kelly for his service as Chair of the Legislation Committee, and also thanked Mr. Murray, Mr. Lemmler, and the entire committee for their tireless work.

There being no further business, the meeting was adjourned at 2:05 p.m.

Respectfully Submitted:



John E. McAuliffe, Jr.
Secretary

**APPROVED BY BOARD OF GOVERNORS
JUNE 6, 2018
DESTIN, FL**