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BOARD OF GOVERNORS

Saturday, August 29, 2020

New Orleans, LA

*** MINUTES ***

President Alainna R. Mire called the meeting to order at 9:00 a.m., Saturday, August 29, 2020, in New Orleans, 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, participated:

President, Alainna R. Mire
President-Elect, H. Minor Pipes III
Secretary, Patrick A. Talley, Jr.
Treasurer, John E. McAuliffe, Jr.
Immediate Past President, Robert A. Kutcher
Chair, Young Lawyers Division, Carrie L. Jones
First Board District Representative, Lawrence J. Centola III
First Board District Representative, Scott L. Sternberg
Third Board District Representative, Dwazendra J. Smith (by phone)
Fourth Board District Representative, Todd S. Clemons
Fifth Board District Representative, Kelly M. Rabalais
Fifth Board District Representative, Adrian G. Nadeau
Sixth Board District Representative, Edward L. Tarpley, Jr.
Eighth Board District Representative, Lauren B. McKnight (by phone)
At-Large Member, Lynn Luker (by phone)
At-Large Member, Tina L. Suggs
At-Large Member, Adrejia B. Swafford
From the Faculty of Loyola University College of Law, Monica Hof Wallace
From the Faculty of Southern University Law Center, Donald W. North
From the Louisiana State Law Institute, Zelda W. Tucker (by phone)
House of Delegates Committee on Liaison Chair, Shayna Beevers Morvant
House of Delegates Committee on Liaison Member, D. Skylar Rosenbloom (by phone)

Also present were:

President-Elect Nominee, Daniel A. Cavell
Secretary Nominee, Clarence A. "Hap" Martin
From the Leadership LSBA 2019/2020 Class (all by phone):
Kristin D. Amond

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Brittany B. Arvie
Robert N. Cavell
Margaret Guidry
Harry Landry III
Iriane B. Lee
Kristin A. Lee

Executive Director, Loretta Larsen, CAE
Associate Executive Director, Cheri Cotogno Grodsky
Director of Communications, Kelly Ponder
Director of Member Outreach and Diversity, Tricia Pierre (by phone)
Information Technology Director, Ashley Cambre
Executive Assistant, Jennifer France

Absent were:

Second Board District Representative, Erin O. Braud
Seventh Board District Representative, Paul L. Hurd
House of Delegates Committee on Liaison Member, Ann S. Siddall

Agenda Item 2. Consent Calendar

- a. Minutes of June 12, 2020 and July 28, 2020** - Consideration of approval of minutes of June 12, 2020 and July 28, 2020 meetings held via Zoom;
- b. Louisiana Center for Law and Civic Education** - Periodic report from the LCLCE, as required by the April 2010 agreement;
- c. Louisiana Board of Legal Specialization** - Annual Report from Louisiana Board of Legal Specialization.

Upon motion by Mr. Kutcher and second by Mr. McAuliffe, the Board unanimously approved the Consent Calendar without discussion or debate.

Agenda Item 3. Nominating Committee – Alainna R. Mire

Ms. Mire reported that the Nominating Committee at its August 28 meeting nominated Daniel A. Cavell for 2021-2022 President-Elect (to succeed to the presidency in 2022-2023) and Clarence A. “Hap” Martin for 2021-2023 Secretary and noted that both were in attendance. She also reported that the Committee had nominated the following individuals for the 2021-2023 term for the positions indicated: John M. Church, Paul M. Hebert Law Center at LSU; Ronald J. Scalise, Jr., Tulane University Law School; and Lila Tritico Hogan, Louisiana State Law Institute.

Agenda item 4. Budget – John E. McAuliffe, Jr.

- a. 2019/2020 Budget** – Review of preliminary June 2020 financial report for FY 2019/2020; and
- b. 2020/2021 Budget** – Consideration of amendments to FY 2020/2021 budget as recommended by the Budget Committee.

Mr. McAuliffe reported on the 2019/2020, noting that the LSBA ended the fiscal year with a contribution to the reserves. He advised that this was due to many expense line items coming in under

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budget, primarily due to the COVID shutdown in the last quarter of the fiscal year.

Mr. McAuliffe reviewed a number of budget amendments being recommended by the Budget Committee, noting that they resulted in an overall positive impact. Of roughly \$30,000. Upon motion by Mr. Kutcher and second by Mr. Pipes, the Board unanimously approved the amendments as recommended.

Agenda Item 5. Judges and Lawyers Assistance Program – H. Minor Pipes III

- a. **Ratification of June 2020 email vote to appoint Bradley J. Tate to a three-year term 9/1/20 to 6/30/23) on the JLAP Board of Directors** – Upon motion by Mr. McAuliffe and second by Mr. Kutcher, the Board unanimously voted to ratify the June 2020 email appointment of Bradley J. Tate to the JLAP Board of Directors.
- b. **Executive director search** – Mr. Pipes reported on the Executive Director Job Description and Search Committee, noting that JLAP's main focus at the moment is finding an Executive Director. There was some discussion on this issue, with several Board members noting that they believed it was more important for the executive director to be a mental health professional than to be a lawyer.
- c. **Mandatory reporting to LSBA** – Mr. Pipes referred members to JLAP's report to the LSBA, noting that it had been timely filed and that the first quarter payment had been released.

Agenda Item 6. Louisiana Client Assistance Foundation – Cheri Cotogno Grodsky

Ms. Grodsky proposed the following appointments to the Louisiana Client Assistance Foundation Board of Directors for 2020/2021: President, Frank X. Neuner, Jr.; Vice President, Robert A. Kutcher; Secretary-Treasurer, Charles B. Plattsmier; Trustees – Drew A. Ranier, Alainna R. Mire, Mary Ann Wegmann, Vincent J. Saitta, A. Anderson Hartiens (lay member), Major Reginald R. Brown, Sr. (lay member) and Lauren McHugh Rocha, Supreme Court Liaison. Upon motion by Mr. Sternberg and second by Mr. North, the Board unanimously approved the recommendations.

Agenda Item 7. Committee on Diversity Awards Criteria Recommendations – Loretta Larsen

- a. **Chief Justice Bernette Joshua Johnson Trailblazer Award** – Renaming award to the Honorable Bernette Joshua Johnson Trailblazer Award; and
- b. **Guardian of Diversity Award** – Changing the award criteria to:
 - allow law-related programs to be eligible and;
 - to specify that only groups and not individuals are eligible for the award.

Ms. Larsen reviewed the recommendations from the Committee on Diversity. Upon motion by and second by Mr. Kutcher and second by Mr. Talley, the Board unanimously approved the recommendations.

Agenda Item 8. Committee on Diversity Awards Recipient Recommendations – Loretta Larsen

- a. Chief Justice Bernette Joshua Johnson Trailblazer Award** – Recommendation to present the award to the Hon. Carl E. Stewart of the U.S. Fifth Circuit of Court of Appeals; and
- b. Guardian of Diversity Award** – Recommendation to present the award to Kean Miller, LLP.

Ms. Larsen reported that the Committee on Diversity had made the recommendations noted above for the two Diversity awards. Upon motion by Mr. Kutcher and second by Mr. Pipes, the Board unanimously approved the recommendations presented by the Committee on Diversity.

Agenda Item 9. Outreach Committee Award Recipient Recommendation – Loretta Larsen

Ms. Larsen reported that the Outreach Committee's recommendation for the Leah Hipple McKay Award for Outstanding Volunteerism is Beau S. Brooks of Brooks Law Office in Thibodaux. Upon motion by Mr. Kutcher and second by Mr. Pipes, the Board unanimously approved the recommendation.

Agenda Item 10. Committee on Bar Admissions – Alainna R. Mire

Ms. Mire asked the Board to consider the appointment of Mark J. Fernandez as Examiner for the Business Entities section of the Louisiana Bar Exam. He would replace John C. Angier, who has made the recommendation. Upon motion by Mr. Pipes and second by Mr. McAuliffe, the Board unanimously approved the recommendation.

Agenda Item 11. Single Billing 2020/2021 Recap – Loretta Larsen

Ms. Larsen reported on billing/payment of dues and assessment for FY 2020/2021, noting that fees and the Attorney Registration Statement due dates were extended to August 1 due to COVID-19. She added that to date 257 members elected emeritus status, and 8 members received hardship waivers.

Agenda Item 12. Admission of Qualified Candidates – Alainna R. Mire

- a. Mandatory Transition Into Practice mentoring program** – Ms. Mire reported that it is mandatory that the Qualified Candidates to participate in the TIP program. She added that the program is seeking mentors from across the state and encouraged Board members to sign up the LSBA's website. Ms. Grodsky noted that they were expecting to pair between 425 and 450 mentors and mentees and that there were six staff members working on this project. She added that staff would remain in contact with the mentees throughout their participation in the program and would be working to ensure that all completed the program as set forth by the Supreme Court.
- b. Special MCLE Requirements** – Ms. Mire reported that these candidates will be required to earn 25 hours of MCLE credits and also noted that the Bridging the Gap CLE will be held virtually this year due to COVID-19;

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- c. **Other** – Ms. Larsen reported that the LSBA IT department has been working diligently to create a system to track these participants. She added that admission of Qualified Candidates is being done in batches, with the first admission date set for September 4.

Agenda Item 13. Strategic Plan Update – Alainna R. Mire

Ms. Mire referred members to the report which illustrated plan progress to date and commended LSBA staff and the Board on continuing to achieve the goals as set forth in the plan.

Agenda Item 14. Report of the President – Alainna R. Mire

- a. **Law School Professionalism Programs** – Ms. Mire reported on the Southern and LSU programs, with additional information being provided by Mr. and Ms. Grodsky.
- b. **2020/2021 Board of Governors Orientation** – Ms. Mire reported the Board Orientation was a success, especially due to the speakers. She added that Dana and Keith Cutler were also scheduled to speak at the Conclave.
- c. **Leadership LSBA 2020/2021** – Ms. Mire directed members to the 2020/2021 Leadership Class roster and added that several class members were participating in today's meeting via conference call.
- d. **Fall 2020 Meeting** – Ms. Mire announced that the next Board of Governors meeting will be held Friday, October 23 at the Hotel Bentley in Alexandria, and all events will be held on Friday. She encouraged Board members to attend and added that additional information will be forwarded to Board members no later than early September.
- e. **2021 Midyear Meeting** – Ms. Mire announced that the 2021 Midyear meeting will be held Thursday, January 21 through Saturday, January 23 at the Renaissance Baton Rouge Hotel and to anticipate changes due to COVID-19.

Agenda Item 15. Report of the President-Elect – H. Minor Pipes III

- a. **2021 Annual Meeting/Joint Summer School with Louisiana Judicial College** – Mr. Pipes reported that the event will take place Sunday, June 6 through Friday, June 11 at Sandestin Golf & Beach Resort.
- b. **2021/2022 Board of Governors/YLD Council Orientation** – Mr. Pipes reported that Orientation will be held Thursday, April 29 through Sunday, May 2, and asked returning Board members to mark their calendars.
- c. **Other Matters** – Mr. Pipes reported that whether it be in person or virtual, the Board will still meet for these two events on the dates mentioned. He also congratulated Ms. Morvant who was elected to serve as a judge in the 24th Judicial District and will be leaving the Board when her term on the bench begins.

Agenda Item 16. Report of the Treasurer – John E. McAuliffe, Jr.

Mr. McAuliffe advised that all matters had been covered elsewhere on the agenda.

Agenda Item 17. Report of the Secretary – Patrick A. Talley, Jr.

Mr. Talley reported that the Editorial Board Meeting set to be held August 28 was postponed and will now be held via Zoom the week after Labor Day. He thanked Ms. Rabalais for her article in

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the last *Bar Journal* pertaining to the 19th Amendment's impact on the Bar and encouraged other Board members to submit articles to the *Journal*.

Agenda Item 18. Report of the Immediate Past President – Robert A. Kutcher
Mr. Kutcher waived his report.

Agenda Item 19. Report of the Young Lawyers Division Chair – Carrie LeBlanc Jones
Ms. Jones reported on the success of the Young Lawyers Orientation which was separated from the Board Orientation due to scheduling issues. She also reported on YLD programming for the upcoming year.

Agenda Item 20. Report of the Executive Director – Loretta Larsen
Ms. Larsen directed members to the 2020 Mandatory Section Report and noted all sections were in compliance. She further advised that sections were working to spend down their fund balances by offering programming to their members and by cosponsoring events with the LSBA.

Agenda Item 21. Report of the Associate Executive Director – Cheri Cotogno Grodsky
Ms. Grodsky referred members to her written report.

Agenda Item 22. Staff Reports
Ms. Mire referred members to the written reports included in the materials.

Agenda Item 23. Executive Session – Update on *Boudreaux* litigation.
At 9:47 a.m., Mr. Kutcher moved that the Board go into Executive Session to discuss litigation, which motion was seconded by Mr. McAuliffe. Ms. Mire asked all non-members to exit the meeting. The Executive Session ended at 10:10 a.m.

Adjourn
Ms. Mire reminded Board members to sign the statements approved at the June meeting and noted that Board members should disclose any conflicts. She encouraged all members to be safe and to think about their friends and colleagues dealing with the aftermath of Hurricane Laura.

There being no further business, the meeting was adjourned at 10:15 a.m.

Respectfully Submitted:



Patrick A. Talley, Jr.
Secretary

APPROVED BY BOARD OF GOVERNORS
OCTOBER 23, 2020