

LOUISIANA STATE BAR ASSOCIATION

BOARD OF GOVERNORS

April 19, 2013

MINUTES

President John H. Musser IV called to order the meeting of the Board of Governors of the Louisiana State Bar Association at 3:05 p.m., Friday, April 19, 2013 in Baton Rouge, Louisiana. Ms. Kilborn led the group in the Pledge of Allegiance.

Agenda Item 1. Roll Call

Present were:

President, John H. Musser IV

President-Elect, Richard K. Leefe

Secretary, Edward J. Walters, Jr.

Treasurer, Steven G. Durio

Immediate Past President, James J. Davidson III

Chair, Young Lawyers Division, Lawrence J. Centola III

First Board District Representative, Barry H. Grodsky

First Board District Representative, H. Minor Pipes III

Second Board District Representative, Stephen I. Dwyer

Third Board District Representative, Dona K. Renegar

Fourth Board District Representative, Winfield E. Little, Jr.

Fifth Board District Representative, Darrel J. Papillion

Sixth Board District Representative, Robert G. Levy

Seventh Board District Representative, Thomas M. Hayes III

From the Faculty of Loyola University College of Law, Monica Hof Wallace

At-Large Member, Julie H. Kilborn

At-Large Member, Franchesca L. Hamilton-Acker

At-Large Member, Daniel A. Cavell

From Southern University Law Center, Donald W. North

From the Louisiana State Law Institute, John Wayne Jewell

House of Delegates Committee on Liaison Chair, George B. Recile

House of Delegates Committee on Liaison Member, Jeffrey A. Riggs

House of Delegates Committee on Liaison Member, Robert A. Kutcher

Also present were:

President-Elect Designee, Joseph L. "Larry" Shea, Jr.

Leadership LSBA Class Member, Grant Joseph Guillot

Executive Director, Loretta Larsen, CAE

Associate Executive Director, Cheri Cotogno Grodsky

Director of Information Technology, Tony LaVerde

Director of Member Outreach and Diversity, Kelly McNeil Legier

Executive Assistant, Jacqueline E. Gay

Absent were:
Eighth Board District Representative, Karelia R. Stewart

Agenda Item 2. Consent Calendar

The following items were included on the Consent Calendar and moved for approval without discussion and/or debate and unanimously approved:

a. Approval of Minutes

Consideration of approval of minutes from January 18, 2013 and January 19, 2013 meetings of the 2012/2013 Board of Governors, held in New Orleans.

b. Louisiana Center for Law and Civic Education

Periodic report from the LCLCE, as required by the April 2010 cooperative endeavor agreement.

c. Ratification of Email Votes

Ratification of Board of Governors' email votes wherein the following were approved:

- CLIO Member Benefit (1/28/13);
- Videoconferencing, including addition of \$25,000 expense line item in 2012/2013 budget (1/28/13); and
- Pro Bono and Children's Law Awards recipients (3/25/13).

Agenda Item 3. Technology Updates - Tony LaVerde

a. Update on status of videoconferencing implementation:

Mr. LaVerde advised that the installation was basically complete and that staff training would be conducted in the near future. He further advised that videoconferencing would be available in less than 30 days.

b. Update on redesign of LSBA.org:

Mr. LaVerde reported that the website redesign was progressing on schedule and that it would be ready by July 1 but would not go live until the conclusion of the 2013-2014 dues/assessment collection.

Agenda Item 4. 2013 Combined Annual Meeting/Summer School - Richard K. Leefe

Mr. Leefe reviewed the schedule and reported that there were 394 registrants for the combined meeting as of April 18.

Agenda Item 5. Sixth Annual Conclave on Diversity - Kelly McNeil Legier

Ms. Legier reported that the 2013 Conclave was historic for several reasons:

- It was the first Conclave held outside of New Orleans;
- It included a meeting of the managing partners of the firms which had signed the Statement of Diversity Principles;

- It included special programming for lawyers practicing criminal law; and
- Thanks to Southern University, the Conclave was streamed live, making it available to those who were unable to attend in person.

Agenda Item 6. Single Billing

Ms. Larsen gave a brief overview of the March 21 meeting regarding single billing. After some discussion, the Board agreed that Mr. Musser and Mr. Leefe would meet with Chief Justice Johnson on this issue.

Agenda Item 7. Consideration of Any Item(s) Removed from Consent Calendar - John H. Musser IV

There were no items removed from the Consent Calendar.

Agenda Item 8. Proposed Award for Marian Meyer Berkett - John H. Musser IV

After a brief discussion the Board voted unanimously to approve Mr. Musser's proposal to present a Lifetime Achievement Award to Marian Meyer Berkett at the Superwomen CLE scheduled for May 2, 2013 in New Orleans.

Agenda Item 9. Draft Rule on Judicial Travel - John H. Musser IV

Mr. Musser reviewed the Supreme Court's draft rule and its potential impact on judges' participation in LSBA activities. After some discussion and upon motion by Mr. Levy and second by Mr. Pipes, the Board voted unanimously to authorize Mr. Musser to submit on behalf a the Board a letter seeking LSBA exception from the proposed \$5,000 cap and expressing the Board's concern with the impact of the proposed rules.

Agenda Item 10. Office Depot Member Benefit - Kelly McNeil Legier

Ms. Legier presented a proposed member benefit for discount office supplies. After review of the draft contract and some discussion, the Board expressed its concern over the indemnification and exclusivity language and asked Ms. Legier to address these issues prior to resubmitting the proposal to the Board.

Agenda Item 11. Human Rights Award - Kelly McNeil Legier

Consideration of the following proposals from the Committee on Diversity:

- a. The Board approved to honor James Dalton Courson as the recipient of 2012/2013 Human Rights Award with Mr. Papillion and Ms. Hamilton-Acker abstaining, and Mr. Durio voting against;

- b. The Board unanimously approved to amend the guidelines and criteria for the award to allow the award to be presented annually in two categories - individual and organization; and
- c. Upon approval of "b" above, the Board approved, with Mr. Papillion and Ms. Hamilton-Acker abstaining, to honor the Greater Baton Rouge Chapter of the Louis A. Martinet Legal Society, Inc. as this year's recipient of the organization award.

Agenda Item 12. Trailblazer Award Proposal – Kelly McNeil Legier

After some discussion, the Board approved presentation of the award at the end of FY 2013/2014.

Agenda Item 13. CLE Award Proposal - Cheri Cotogno Grodsky

After some discussion regarding an award to be presented annually to one lawyer and one judge for service to the LSBA CLE Program Committee, the Board took no action on this proposal but did ask staff to prepare a comprehensive list of all awards presented by the LSBA, along with the criteria for those awards.

Agenda Item 14. Budget Committee Recommendations - Steven G. Durio

Mr. Durio reported that the Committee had reviewed a list of LSBA insurance coverages and would be exploring how increasing deductibles could result in lower premiums. Mr. Durio reported that the LSBA had received another audit with an unqualified opinion and Mr. Cavell asked the Board to join him in congratulating the staff for an excellent job. Ms. Larsen advised that Director of Administration Denise Tingstrom was responsible for financial management and would pass the accolades onto her.

Mr. Durio summarized the budget amendments, advising that the overall result was an additional \$58,230 contribution to reserves. He advised that the Budget Committee had voted unanimously to recommend the amendments to the Board. Upon motion by Mr. Jewell and second by Ms. Renegar, the Board voted unanimously to approve the budget amendments as proposed by the Committee.

Agenda Item 15. Financial Stability - Richard K. Leefe

Mr. Leefe reported that the LSBA had allocated an additional \$100,000 per year to LAP (the Lawyers' Assistance Program), and that the LSBA's current financial situation was sound.

Agenda Item 16. Indigent Defense - Julie H. Kilborn and Karelia R. Stewart

Ms. Kilborn reported that the \$30,000 grant from the LSBA had saved three districts from defense service restrictions. She further reported that Mr. Leefe was being appointed to the newly created committee to address indigent defense issues. Mr. Leefe advised that he and LBF

President Leo Hamilton would be appointing a joint committee to explore how the LBF might address the issue of indigent defense funding.

Agenda Item 17. Legal Economics - Monica Hof Wallace and Donald W. North

Ms. Wallace and Mr. North gave the Legal Economics Committee Report.

Agenda Item 18. Professionalism Center - Stephen I. Dwyer

Mr. Dwyer distributed a preliminary budget for a stand-alone Professionalism Center and advised that we would need to develop a funding mechanism to move forward. There was some discussion on such a program and the consensus was that funding would need to be identified before moving forward.

Agenda Item 19. Quality of Life - Winfield E. Little, Jr.

Mr. Little reported that LAP information is now included on LSBA photo ID cards. He further reported that the committee would meet once more prior to the Annual Meeting to review feedback on mental health/quality of life speakers at the Solo & Small Firm Conference.

Agenda Item 20. Solo & Small Firm - Dona K. Renegar

Ms. Renegar reported that Mr. Cavell was successful in implementing programming in Lafourche Parish but that the Lafayette Bar had elected to do stand-alone programming.

Agenda Item 21. Technology - Darrel J. Papillion

Mr. Papillion referred to Mr. LaVerde's agenda item, wherein he reported that videoconferencing would be implemented in the immediate future.

Agenda Item 22. Report of the President - John H. Musser IV

a. Outreach to Local Bar Associations

Mr. Musser advised that it had been his great pleasure to visit with local bar leaders throughout the state.

b. ABA Day in Washington

Mr. Musser reported that he, Mr. Leefe and Access to Justice Director Monte Mollere had just returned from ABA Day in Washington, where they met with Louisiana's representatives to ask for sufficient LSC funding.

c. May 2013 Month of Service

Mr. Musser reported that he was encouraging lawyers throughout the state to undertake public service projects during the month of May, and that he hoped this program would continue in the future.

d. May 1 deadline for Resolutions - June 6, 2013 House of Delegates Meeting

Mr. Musser reminded everyone that May 1 is the deadline for resolutions to be considered by the House of Delegates at its June 6 meeting at Sandestin Golf & Beach Resort.

e. Fifth Circuit Judicial Conference

Mr. Musser reported that he and Mr. Leefe would represent the LSBA at the Fifth Circuit Judicial Conference in early May in Ft. Worth.

f. May 21 Pro Bono Awards

Ceremony at Louisiana Supreme Court Mr. Musser encouraged Board members to attend the ceremony.

g. Final Meeting of 2012/2013 Board of Governors

Mr. Musser reminded members that the 2012/2013 Board would hold its final meeting at noon, on Monday, June 3 at Sandestin. He advised that lunch would be served and that spouses were encouraged to attend.

Agenda Item 23. Report of the President-Elect - Richard K. Leefe

a. 2013/2014 Board Orientation - Thursday, May 2 through Sunday, May 5 at Grand Hotel Marriott Resort, Golf Club & Spa

Mr. Leefe advised that plans were being finalized for the orientation and that he expected it to be a very productive meeting.

b. December 2013 LSBA Danube River Cruise (with CLE) on Viking Longship Skadi

Mr. Leefe advised that response had been favorable for the cruise and that only a few cabins remained. He encouraged those who were interested to make their plans as soon as possible.

Agenda Item 24. Report of the Secretary - Edward J. Walters, Jr.

Mr. Walters advised that he was completing his final issue of the Journal and that Mr. Grodsky would be taking over as editor. He complimented the LSBA's "incredible" staff for the assistance they had provided during his term.

Agenda Item 25. Report of the Treasurer - Steven G. Durio

Mr. Durio had no further report, as all financial matters had been addressed under agenda item 14.

Agenda Item 26. Report of the Immediate Past President – James J. Davidson III

Mr. Davidson waived his report.

Agenda Item 27. Report of the Young Lawyers Division Chair – Larry J. Centola, III

Mr. Centola reported that the YLD had hosted the High School Mock Trial Competition in late March and at the Federal Courthouse in Lafayette and that Lafayette High School had won and

would represent Louisiana in the national competition. He further reported that the YLD would hosting a Local Affiliate Symposium at the Annual Meeting, in addition to the traditional YLD Awards Reception, which this year is scheduled for Monday evening.

Agenda Item 28. Report of the Executive Director – Loretta Larsen

Ms. Larsen advised that all issues had been addressed under other agenda items and that she had no further report.

Agenda Item 29. Report of the Associate Executive Director – Cheri Cotogno Grodsky

Ms. Grodsky referred members to her written report.

Agenda Item 30. Other Matters

a. Mentoring

Mr. Grodsky reported that the Supreme Court had advised him that it would be issuing an Order to implement a two-year voluntary mentoring program for new bar admittees in the Shreveport, Baton Rouge and Greater New Orleans areas. He thanked Mr. Musser, Mr. Leefe and Mr. Shea for their assistance with this project and also advised that the assistance of Committee on the Profession member Michael Holloway and Supreme Court Deputy Judicial Administrator Lauren McHugh Rocha had been invaluable.

b. MCLE

Mr. Cavell reported that the MCLE Committee would be meeting at the Supreme Court during the week of April 22 and that CLE credit for mentoring was one of the issues which would be addressed. Other matters on the agenda would be credit for moot court judges, and reconsideration of the rule prohibiting credit for programs held during meals. He further advised that the Committee had recommended to the Court that the age 65 exemption be eliminated and that this matter was under consideration by the Court. Mr. Grodsky reported that the Supreme Court had advised him that it would be issuing an Order to implement a voluntary mentoring program for two years for new bar admittees in the Shreveport, Baton Rouge and Greater New Orleans areas. He thanked Mr. Musser, Mr. Leefe and Mr. Shea for their assistance with this project and also advised that the assistance of Committee on the Profession member Michael Holloway and Supreme Court Deputy Judicial Administrator Lauren McHugh Rocha had been invaluable.

Adjourn

There being no further business, the meeting was adjourned at 5:05 p.m.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read "Edward J. Walters, Jr.", with a stylized flourish at the end.

Edward J. Walters, Jr.
Secretary

APPROVED BY BOARD OF GOVERNORS
JUNE 3, 2013
DESTIN, FL