

LOUISIANA STATE BAR ASSOCIATION BOARD OF GOVERNORS

**11 a.m. ■ Friday, June 7, 2013
Destin, Florida**

*** M I N U T E S ***

President Richard K. Leefe called to order the meeting of the Board of Governors of the Louisiana State Bar Association at 11:10 a.m., Friday, June 7, 2013 in Destin, Florida. 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. "Larry" Shea, Jr.

Secretary, Barry H. Grodsky

Treasurer, Steven G. Durio

Immediate Past President, John H. Musser IV

First Board District Representative, H. Minor Pipes III

First Board District Representative, David W. Leefe

Second Board District Representative, Stephen I. Dwyer

Third Board District Representative, Dona K. Renegar

Fourth Board District Representative, Shayna L. Sonnier

Fifth Board District Representative, Michael E. Holoway

Seventh Board District Representative, Thomas M. Hayes III

Eighth Board District Representative, Karelia R. Stewart

At-Large Member, Daniel A. Cavell

At-Large Member, Julie H. Kilborn

At-Large Member, Mickey S. deLaup

From the Faculty of LSU Law Center, John M. Church

From the Louisiana State Law Institute, Marguerite L. Adams

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

Also present were:

Executive Director, Loretta Larsen, CAE

Associate Executive Director, Cheri Cotogno Grodsky

Access to Justice Director, Monte T. Mollere

Director of Communications, Kelly Wells Ponder

Director of Information Technology, Tony LaVerde

Gilsbar President, Henry J. “Hank” Miltenberger, Jr. (Agenda Item 22 only)
LSBA Lobbyist, Larry L. Murray (Agenda Item 3 only)

Absent were:

Chair, Young Lawyers Division, Kyle A. Ferachi
Sixth Board District Representative, Robert G. Levy
From Tulane University Law School, Ronald J. Scalise, Jr.
House of Delegates Committee on Liaison Chair, Jeffrey A. Riggs
House of Delegates Committee on Liaison Member, Tricia R. Pierre

Agenda Item 2. Consent Calendar

The following items were included on the Consent Calendar and were approved by acclamation.

a. Bank Resolutions

Resolutions have been prepared covering all accounts of the Association. These require that all checks be signed (either electronically or physically) by Treasurer Steven G. Durio or Assistant Treasurer Loretta Larsen, and countersigned by one of the following persons: Richard K. Leefe, Barry H. Grodsky, H. Minor Pipes III, Stephen I. Dwyer, David Leefe and Mickey S. deLaup.

b. Presidential Authority

Under the Charter, the President, with the consent of the Board of Governors, may make committee appointments and create committees with acquiescence of Executive Committee and Board of Governors. The Board is requested to grant Mr. Leefe the authority to make such appointments as required during his term of office and also to create such special committees and/or task forces he deems necessary and proper with acquiescence of Executive Committee and Board of Governors.

c. Louisiana Client Assistance Foundation

The Louisiana Client Assistance Foundation proposes the following appointments to its Board of Directors for 2013/2014: President, Frank X. Neuner, Jr.; Vice President, John H. Musser IV; Secretary-Treasurer, Charles B. Plattsmier; Trustees – Drew A. Ranier, Joseph L. Shea, Jr., David W. Leefe, Mary Ann Wegmann, A. Anderson Hartiens (lay member), Major Reginald R. Brown, Sr. (lay member) and Lauren A. McHugh, Supreme Court Liaison.

d. Louisiana Center for Law and Civics Education

- Consideration of 2013-2014 Board of Directors, as per the April 2010 cooperative endeavor agreement.
- Periodic report from the LCLCE, as required by the April 2010 agreement.

Agenda Item 3. Legislative Positions 2013 – Richard K. Leefe and Larry L. Murray

After a brief introduction by Mr. Leefe, Mr. Murray reported on the 2013 Regular Session of the Louisiana Legislature, and the final disposition of bills on which the LSBA took positions. His handout is attached as an addendum to these minutes.

Agenda Item 4. Technology Updates – Tony LaVerde

Mr. LaVerde reported that videoconferencing was fully operational and that the Budget Committee had used it for its May 23 meeting. Mr. LaVerde also 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 5. Mentoring – Barry H. Grodsky

Mr. Grodsky reported that the Supreme Court on May 15 had issued an Order implementing the Transition Into Practice (mentoring) program, a voluntary two-year program (1/1/15 – 12/31/16) which will be limited to new admittees in the Shreveport, Baton Rouge and Greater New Orleans areas.

Mr. Grodsky expressed his appreciation to everyone who had provided assistance with this program, and advised that the Committee on the Profession would be working on all details and would be ready for the January 1, 2015 start.

There was some discussion about program particulars, including incentives to mentees.

Agenda Item 6. Insurance Committee Reports – Loretta Larsen

a. Legal Malpractice Insurance Committee

Ms. Larsen gave a brief report and referred the Board to Chair Kevin C. O'Bryon's written report.

b. Group Insurance Committee

Ms. Larsen gave a brief report and referred the Board to Chair Shannon Seiler Dartez's written report.

Agenda Item 7. Consideration of Any Item(s) Removed from Consent Calendar – Richard K. Leefe

There were no items removed from the Consent Calendar.

Agenda Item 8. House of Delegates – Richard K. Leefe

Mr. Leefe gave a brief overview of the action of the House. Mr. Kutcher made a motion to ratify the action of the House, which motion was seconded by Mr. Grodsky.

After a lengthy discussion, the Board voted to ratify the action of the House, with Ms. Adams and Mr. Dwyer casting dissenting votes.

Agenda Item 9. Election Procedures 2013/2014 – Loretta Larsen

Ms. Larsen reviewed the proposed election procedures and timeline, and reminded Board members that the additional 5th Board District Representative would be elected in 2013/2014, with a term to begin in June 2014 and end in June 2017.

Upon motion by Mr. Shea and second by Mr. Church, the Board unanimously approved the election procedures and timeline.

Agenda Item 10. Board of Governors Statements Confirming LSBA Policies – Richard K. Leefe

a. Antitrust Avoidance

b. Confidentiality

c. Conflict of Interest

Upon motion by Mr. Musser and second by Ms. Kilborn, the Board unanimously adopted the policies and agreed that each individual Board member would sign each policy.

Agenda Item 11. Consideration of 2013/2014 Budget – Steven G. Durio

Mr. Durio reviewed the draft 2013/2014 budget as recommended by the Budget Committee at its May 23, 2013 meeting for adoption by the Board of Governors. He noted that the budget included an overall 3% increase in staff compensation, with staff salary decisions to be determined by Ms. Larsen in consultation with department heads. After a brief discussion and upon motion by Mr. Shea and second by Mr. Cavell, the Board unanimously approved the budget as presented.

Mr. Cavell asked that the Budget Committee and Board review the budget to determine whether there are sufficient funds to provide an ongoing dedicated revenue stream to the Lawyers Assistance Program, Inc.

Agenda Item 12. Office Depot Member Benefit – Kelly McNeil Legier

Ms. Legier reviewed the revised proposal and noted that all issues identified by the Board at its April meeting had been addressed. After a brief discussion and upon motion by Mr. Shea and second by Mr. Durio, the Board unanimously approved the Office Depot member benefit.

13. Diversity Committee Recommendation – Kelly McNeil Legier

Ms. Legier reviewed the Diversity Committee's recommendation to participate as a co-sponsor, with no financial obligation, in the MCAA Diversity Academy scheduled for November 2013 in New Orleans. After a brief discussion and upon motion by Ms. deLaup and second by Mr. Grodsky, the Board unanimously approved the co-sponsorship.

Agenda Item 14. Report of the President – Richard K. Leefe

a. Leadership LSBA 2013/2014

Mr. Leefe advised that the class would be selected later this month and encouraged Board members to nominate young lawyers.

b. Committee Appointments

Mr. Leefe said he had met with staff on committee appointments in May and that appointment letters would be sent shortly after the Annual Meeting. He further advised that he had appointed Board members as follows:

BOARD COMMITTEES

Financial Stability

Larry Shea, Chair
Buzz Durio
Tom Hayes
Jeff Riggs
Loretta Larsen, Staff Liaison

Indigent Defense

Julie Kilborn, Chair
Karelia Stewart
Richard Leefe
Mickey deLaup
Monte Mollere, Staff Liaison

Legal Economics

Ron Scalise, Chair
John Church
Kyle Ferachi
Kelly Ponder, Staff Liaison

Solo and Small Firm

Dona Renegar, Chair
Danny Cavell
Shayna Sonnier
Shawn Holahan, Staff Liaison

Professionalism Center

Steve Dwyer, Chair
Barry Grodsky
John Musser
Cheri Grodsky, Staff Liaison

Quality of Life

David Leefe, Chair
Mike Holoway
Bob Kutcher
Peggy Adams
Kelly Legier, Staff Liaison

Technology

Minor Pipes, Chair
Bob Levy
Tricia Pierre
Tony LaVerde, Staff Liaison

COMMITTEE LIAISONS

- Access to Justice – Tricia Pierre
- Access to Justice Policy – Dona Renegar
- Alcohol & Drug Abuse – Danny Cavell
- Bar Governance – Steve Dwyer
- Children’s Law – Bob Levy
- Client Assistance – Tom Hayes
- Community Action – Kyle Ferachi
- CLE Program – Minor Pipes
- Criminal Justice – Julie Kilborn
- Crystal Gavel – Jeff Riggs
- Diversity – Ron Scalise
- Group Insurance – Shayna Sonnier
- Lawyers in Transition – Barry Grodsky
- Legal Malpractice Insurance – David Leefe
- Legal Services for Persons with Disabilities –Peggy Adams
- Legislation – Buzz Durio
- Medical-Legal Interprofessional – Mickey deLaup
- Practice Assistance and Improvement – Mike Holoway
- Profession – John Church
- Public Access and Consumer Protection – Larry Shea
- Public Information – Karelia Stewart
- Rules of Professional Conduct – Bob Kutcher

c. 2013/2014 Board of Governors Meeting Calendar

Mr. Leefe reviewed the 2013/2014 Board meeting calendar which was included in the materials.

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

Mr. Leefe advised that there were still a few spots available and encouraged members to participate and/or encourage others to do so.

e. 2014 Midyear Meeting – Thursday, January 23 through Saturday, January 25 at the Renaissance Baton Rouge Hotel

Mr. Leefe advised that the meeting would be held in Baton Rouge for the first time in many years.

f. 2014 Annual Meeting and Joint Summer School with Louisiana Judicial College at Sandestin Golf & Beach Resort – Sunday, June 1 through Friday, June 6

Mr. Leefe advised that Mr. Shea would be spearheading planning for this meeting.

Agenda Item 15. Report of the President-Elect – Joseph L. “Larry” Shea, Jr.

Mr. Shea reported that he would be looking at a number of issues for the next annual meeting/summer school:

- Possibility of rescheduling meeting to begin the Sunday after the legislative session ends;
- Reducing pricing for young lawyers;
- Continuation of the Beach Bash, as it was a very popular family-friendly event; and
- Possibility of reducing the number of CLE speakers.

Agenda Item 16. Report of the Secretary – Barry H. Grodsky

Mr. Grodsky reported that the LSBA would be adding a new publication, the Senior Lawyers Division quarterly electronic newsletter entitled “Seasonings.” He advised that the newsletter would include legal topics, as well as health and lifestyle offerings, and would be edited by former secretary Ed Walters of Baton Rouge. Mr. Grodsky also thanked Mr. Walters for his work on the Journal and reported that he would stay on as a member of the Editorial Board.

Agenda Item 17. Report of the Treasurer – Steven G. Durio

Mr. Durio waived any further report, as all matters had previously been addressed.

Agenda Item 18. Report of the Immediate Past President – John H. Musser IV

Mr. Musser waived his report.

Agenda Item 19. Report of the Young Lawyers Section Chair – Kyle A. Ferachi

In Mr. Ferachi’s absence, Mr. Leefe referred members to the written report.

Agenda Item 20. Report of the Executive Director – Loretta Larsen

Ms. Larsen advised that the LSBA would receive at the ABA Annual Meeting in San Francisco in August an ABA Partnership Award for the Suit Up for the Future High School Legal Institute and Internship Program. She thanked Ms. Legier for her work on this project and also reported that the project would be highlighted at a program in San Francisco.

Ms. Larsen further reported that the 2012/2013 fiscal year would end on June 30, and that the Association would end the year on budget, or perhaps a bit better than budgeted. She advised that the Board would receive a preliminary report at its August meeting.

**Agenda Item 21. Report of the Associate Executive Director –
Cheri Cotogno Grodsky**

Ms. Grodsky referred members to her written report.

Agenda Item 22. Other Matter – Gilsbar Pro-Op Exchange Program

At the invitation of Mr. Leefe, Gilsbar President Henry J. “Hank” Miltenberger, Jr. made a presentation to the Board on Gilsbar’s Pro-Op Exchange program. He reported that this program would replace the group insurance program (which is being discontinued by New York Life on 12/31/13) and would provide the following to attorneys and/or firms who used Gilsbar as their broker to buy health insurance in the open marketplace:

- Customized benefits portal compliant with requirements of healthcare reform;
- Compliance services for the Affordable Care Act; and
- Care Advocates to guide members through the healthcare delivery system.

He further advised that the program would feature full transparency of Gilsbar revenues, and that Gilsbar would work with the LSBA to provide CLE discounts to participants. Cost of the program would be \$50 per year for firms with less than 10 employees and \$100 per year for firms with 10 or more employees, with fees waived for those who participate in the LSBA-sponsored legal malpractice insurance program. Mr. Miltenberger answered a number of questions from Board members and then left the meeting.

Mr. Leefe advised Board members that the Executive Committee had voted to recommend to the Board that it authorize Gilsbar to offer the Pro-Op Exchange program to LSBA members. After some discussion and upon motion by Mr. Holoway and second by Mr. Durio, the Board voted unanimously to grant this authorization.

Adjourn

There being no further business and upon motion by Mr. Kutcher and second by Mr. Shea, the meeting was adjourned at 1:50 p.m.

Respectfully submitted:



Barry H. Grodsky
Secretary

APPROVED BY BOARD OF GOVERNORS
AUGUST 24, 2013
NEW ORLEANS, LA