

**LOUISIANA STATE BAR ASSOCIATION
BOARD OF GOVERNORS
April 6, 2002**

M I N U T E S

President Michael H. Rubin called to order the meeting of the Board of Governors of the Louisiana State Bar Association at 9:15 a.m., Saturday, April 6, 2002, in Natchitoches, Louisiana. Business was conducted in accordance with the agenda below.

Agenda Item 1. Roll Call

Present were:

President, Michael H. Rubin
President-Elect, Larry Feldman, Jr.
Secretary, Marta-Ann Schnabel
Treasurer, Michael W. McKay
Immediate Past President, E. Phelps Gay
First Board District Representative, Elizabeth Haecker Ryan
Second Board District Representative, Gerald P. Webre
Third Board District Representative, James R. McClelland
Fourth Board District Representative, Winnfield E. Little, Jr.
Fifth Board District Representative, E. Wade Shows
Sixth Board District Representative, Elizabeth Erny Foote
Seventh Board District Representative, Carrick R. Inabnette
Eighth Board District Representative, John M. Frazier
At-Large Member, R. Gayle Harrell Jackson
At-Large Member, Karl J. Connor
At-Large Member, Preston J. Castille, Jr.
From the Faculty of LSU Paul M. Hebert Law Center, John M. Church
From the Louisiana State Law Institute, J. David Ziober
House of Delegates Committee on Liaison Member, Andrew Reed

Also present were:

Executive Director, Loretta L. Topey
Access to Justice Director, Monte T. Mollere
Communications Director, Lori L. Ruello
Member Services Director, Judith W. Dugar
Practice Assistance Counsel, Cheri Cotogno Grodsky
Executive Assistant, Ramona K. Meyers
President-Elect Designee, Wayne J. Lee

Absent were:

Chair, Young Lawyers Section, Jennifer G. Gary
First Board District Representative, Shelley Hammond Provosty

Board of Governors Meeting
April 6, 2002
Page 2

From the Faculty of Tulane University Law School, Lawrence J. Ponoroff
House of Delegates Committee on Liaison Chair, G. Steven Duplechain
House of Delegates Committee on Liaison Member, C. Wendell Manning

Agenda Item 2. Consent Calendar.

The following item was included on the Consent Calendar and moved for approval without discussion and/or debate and unanimously approved.

2.1 Approval of Minutes

The minutes of the Board of Governors meeting held on January 19, 2002, in Baton Rouge, were approved as prepared.

Agenda Item 3. Consideration of Any Item(s) Removed from Consent Calendar.

No items were removed from the Consent Calendar for further discussion/debate.

Agenda Item 4. Tel-Law Renewal.

Mr. Lee informed the Board that he is continuing to negotiate with the Southwest Louisiana Education and Referral Center (SLERC) regarding the LSBA's sponsorship of the Statewide Tel-Law Program. The LSBA and SLERC are currently operating under the existing contract, which ended December 31, 2001. The association would like to amend the second paragraph of Section 8 (Licensing Rights) of the contract to more accurately reflect the understanding regarding new tapes created by the LSBA.

Agenda Item 5. 625 St. Charles Avenue.

President Rubin informed the Board that the LBF and LSBA will receive a total of \$45,000.00 in exchange for granting of utility servitudes from the 625 St. Charles Avenue project. According to the financial agreement between American Avenue/625 St. Charles Avenue Condominiums and LBF/LSBA, payment are to be made as follows: 1) LBF/LSBA to receive \$10,000.00 upon signing of documents; 2) LBF/LSBA to receive \$15,000.00 upon the sooner of May 31, 2002, or the project receiving its certificate of occupancy; and 3) LBF/LSBA to receive \$20,000.00 upon the sooner of August 31, 2002 or three months after the project receiving its certificate of occupancy. The Board authorized President Rubin to negotiate with LBF President, Suzanne Jones, on how the \$45,000.00 will be shared.

Agenda Item 6. Louisiana Center for Law and Civic Education.

Ms. Jackson presented a report on the financial condition of the Center and requested the LSBA provide a one-time allocation of \$21,800.00 for 2002. The funds are needed by June 30, 2002. A motion was moved and seconded to provide the one-time allocation of \$21,800.00 to the Louisiana Center for Law and Civic Education for 2002. The motion was adopted with Mr. Shows abstaining.

Agenda Item 7. Corporate Resolutions for Section Accounts.

President Rubin informed the Board that money market accounts with Banc One Securities were opened March 2002 for the following sections with transfer of funds from each section=s checking accounts: Antitrust and Trade Regulation; Health Law; International Law; and Labor and Employment Law. Corporate resolutions for each account, dated February 28, 2002, were signed by: President Rubin, Mr. McKay, Ms. Schnabel and Ms. Topey. A motion was moved and seconded to retroactively approve the opening of section bank accounts. The motion was adopted unanimously.

Agenda Item 8. Access to Justice.

8.1 LSC Memorandum of Understanding.

The Board reviewed the Memorandum of Understanding between the LSBA, Acadiana Legal Service Corporation, Capital Area Legal Services Corporation, Legal Services of North Louisiana, Inc., New Orleans Legal Assistance Corporation and Southeast Louisiana Legal Services Corporation and the concerns expressed by the Louisiana Bar Foundation regarding the fundraising aspects of the MOU. The Board approved the language drafted by Mr. Oelkers. Further, the Board unanimously indicated that it would be supportive of the Foundation in its fundraising efforts and other initiatives. President Rubin and President-Elect Feldman further indicated that they would strongly encourage membership in the Foundation for all members of the 2001-02 and 2002-03 LSBA Boards.

8.2 Pro Bono Awards.

The Board considered the recommendations of the Access to Justice Committee regarding Pro Bono award recipients, said awards to be presented at the 2002 Annual Meeting. The Board approved the following individuals for the various 2002 Pro Bono Awards:

2002 Lifetime Achievement Award
David A. Hamilton of Baton Rouge

2002 Career Public Interest Awards

Martha J. Kegel of Metairie

Ann E. Maclaine of New Orleans

2002 Pro Bono Publico Awards

S. Guy deLaup of Metairie

Elderly Law Task Force of Baton Rouge

Honorable Melvin Shortess of Baton Rouge

2002 Friend of Pro Bono Awards

Barbara J. Densford of Monroe

Courtroom Graphic and Animation of Jefferson

Agenda Item 9. House of Delegates Appointments.

Mr. Feldman presented a list of proposed appointments to fill seats in the House of Delegates for which no one qualified during the 2001-02 elections. Mr. Feldman indicated the appointments would become effective at the beginning of the Annual Meeting in June. The Board unanimously approved the following appointments:

Fourth Judicial District

Fifth Judicial District

Seventh Judicial District

Ninth Judicial District

Fifteenth Judicial District

Wendy E.W. Giovingo

Orlando ANick@ Hamilton, Jr.

Lloyd F. Love

D. Beau Sylvester

M. Blake Monroe

Dona Renegar

Agenda Item 10. 2002 Annual Meeting.

President Rubin and Mr. Feldman provided an update on plans for the meeting, including Board member attendance and involvement.

Agenda Item 11. Proposed Rule on Pro Hac Vice Admission.

Ms. Grodsky briefly reviewed the proposed rule on Pro Hac Vice admission prepared by the Multijurisdictional Practice Committee chaired by Joseph Larry Shea. The proposed rule establishes a \$100.00 application fee and the Disciplinary Board will administer the appeal process. There is no recommendation regarding where the application fees are to go.

Board of Governors Minutes

April 6, 2002

Agenda Item 12. Report of the President

12.1 Update of Web Issues.

a. Courts of Appeal web opinions - President Rubin and Web Site Administrator Darin Trittel have developed the free service to which LSBA members can subscribe to receive opinions from the Supreme Court and First, Second and Fifth Circuit Courts of Appeal. b

b. Member Voting on Web Site - President Rubin informed the Board that overall voting during election cycles has been dismal. During the 2000-01 cycle a total of 18,420 the first ballots were mailed with a return of 4,369 votes, 914 by internet. During the 2001-02 cycle a total of 18,712 first ballots were mailed with a return of 4,103 votes, 1,049 by internet.

c. Louisiana Bar Today electronic newsletter - President Rubin informed the Board that newsletter, which premiered on March 6, will be used to communicate legal issues and bar activities to those members with email addresses.

12.2 Update on Statewide Lawyer Referral Service.

The LRIS currently has 122 panel members. The free registration period has been extended through June 30 for a one-year membership in an effort to broaden the base of attorneys in the service. The service received 112 calls through February with a total of 27 appointments being scheduled through March 25. The service will be reviewed by the ABA Program of Assistance and Review (PAR) in April. The review team will highlight the positive aspects of the LRIS and will provide constructive recommendations for changes and improvements where necessary.

12.3 Update on Crystal Gavel Awards.

President Rubin informed the Board that Crystal Gavel Awards have been approved for the following individuals: Hon. Karen Wells Roby of New Orleans; Majorie A. McKeithen of Baton Rouge; Susan Stagg Robinson of Lafayette; Cliffe E. Laborde III of Lafayette; Henry C. Perret, Jr. of Lafayette and Terry G. Aubin of Pineville.

12.4 Update on Montreal Meetings.

President Rubin provided an update on his efforts with the Montreal and Quebec bars to establish a joint CLE series with their attorneys and judiciary.

12.5 Update on Law School for Non-lawyers.

President Rubin noted that through the efforts of Ms. Foote the LSBA will sponsor three of six programs sponsored by the City of Alexandria entitled AProject ENABLE (Educating Neighbors about Bettering Life for Everyone).@ The three programs sponsored by the LSBA are: May 14 - Property rights in marriage and divorce; June 11 - Child custody, support and non-support; and August 13 - Wills and estate planning.

- 12.6 Recently adopted Supreme Court orders.
Mr. Rubin referred the members to the Supreme Court orders contained under tab 12 of the Board meeting manual.
- 12.7 Report on March 18 meeting with Chief Justice Calogero.
President Rubin briefly reported on the meeting which was attended by President-Elect Larry Feldman, Jr. and President-Elect Designee Wayne J. Lee. Mr. Feldman indicated that he would continue the meetings with the Chief that were established by Past President Phelps E. Gay.

Agenda Item 13. Report of President-Elect

- 13.1 Update on plans for 2002-03 Board of Governors Orientation.
Mr. Feldman briefly reviewed plans for the orientation to be held April 26 and 27 at Steelwood Resort in Loxley, Alabama.
- 13.2 Update on Louisiana Legal Directory negotiations.
Mr. Feldman reported that negotiations are continuing on several points of the proposed contract. He stated his committee will move forward to settle the contract issues and present a contract to the Board of Governors for certification.
- 13.3 Update on Judiciary Commission Bar Center lease.
Mr. Feldman informed the Board that discussions had been held with the Chief regarding the Judiciary Commission moving out of the Bar Center at some point in the future due to the space situation currently facing the Association.
- 13.4 Legal Staff.com Career Center.
Legalstaff.com would like to power a Alegal only@ Career Center on the LSBA web site at no cost to the association. The Career Center would provide access to a variety of career and recruiting services through the LSBA web site. The service would also generate non-dues income based on 15% of all job revenues. The Board approved a motion to authorize Mr. Feldman to negotiate a contract with Legalstaff.com.

Agenda Item 14. Report of the Secretary

- 14.1 Annual Report discussion.
The Board reviewed a report submitted by Ms. Schnabel regarding the publication of the Annual Report and subsequent distribution by having it shrunk wrapped with the December *Bar Journal*. The 2001 Annual Report was trimmed by the deletion of the Executive Director=s Report and the compression of the financial statement. Members of the Journal Editorial Board are concerned regarding the cost of publishing the report and have suggested the LSBA make it available to members rather than mailing each member a copy. A motion was made, seconded and

approved to maintain the Annual Report in its current format and continue to mail it with the December issue of the *Bar Journal*.

14.2 Advertising Income report.

Ms. Schnabel announced that the *Louisiana Bar Journal* was successful in increasing its income by \$24,417 and decreasing expenses \$42,217 over last year. ABar Briefs@ increased its income \$13,953 over last year.

14.3 Other Matters.

Ms. Schnabel encouraged the Board members to complete the profile questionnaires so the information can be included in the June edition of the *Journal*.

Agenda Item 15. Report of the Treasurer

15.1 Consideration of amendments to 2001/02 budget as approved by Budget Committee.

The Board approved the following amendments to the 2001-02 budget:

- γ increase Bar Briefs income by \$7,000.00;
- γ increase *Bar Journal* income by \$5,000.00;
- γ increase Professional Responsibility Book income by \$2,000.00;
- γ increase Uniform Title Standards Book income by \$2,500.00;
- γ decrease Section Cost Sharing income by \$510.00;
- γ increase Annual Meeting expenses by \$2,000.00;
- γ increase Accounting Services expenses by \$17,000.00.

15.2 Report on March 14 Budget Committee meeting.

Mr. McKay reported that the committee is working on the 2002-03 budget which will be presented to the Board for approval in June. He stated that CLE income was behind but the Jazz Fest seminar and Summer School should help increase their income.

15.3 Report on investment performance.

Mr. McKay provided a brief report on the performance of LSBA investments.

Agenda Item 16. Report of Young Lawyers Section Chair.

In the absence of section chair Jennifer G. Gary, Ms. Dugar presented a request from the Council to allocate an additional \$4,500.00 to the Young Lawyers Section Council budget for the remainder of the 2001-02 Bar year. The YLS budget was previously cut \$13,825 for the current fiscal year. Despite streamlining expenses and seeking outside funding, the section will need the additional funding to continue to operate. A motion was made, seconded and unanimously approved to allocate the additional \$4,500.00 to the 2001-02 Young Lawyers Section Council budget.

Board of Governors Minutes

April 6, 2002

Page 8

Agenda Item 17. Report of the Executive Director.

17.1 Report on staff issues.

Ms. Topey reported that there is no space available for additional staff. The Bar has put the New Orleans Pro Bono Project on notice to find new space, which will mean the loss of \$17,000.00 per year in income. Ms. Topey informed the Board that Ethics Counsel Kay Eagan had resigned and Mr. Richard Lemmler was hired and would assume that position effective May 1.

Agenda Item 18. Visioning/Brainstorming.

President Rubin allowed open discussion on issues related to LSBA-sponsored continuing legal education programs. The following suggestions were made:

- γ LSBA needs to hold CLE seminars in New Orleans and rural areas of state;
- γ LSBA should offer 15 hours of free CLE in areas across the state;
- γ an innovative marketing plan for LSBA sponsored CLE programs should be developed;
- γ should LSBA assist sections and local bar associations as a resource on how to develop good CLE programs;
- γ should CLE be a member service rather than a revenue generator.

Agenda Item 19. Date of Next Meeting.

The next meeting of the Board of Governors will be held at 1:30 p.m., Thursday, June 27, at Sandestin Golf and Beach Resort in Destin, Florida, in conjunction with the Annual Meeting.

Agenda Item 20. Adjournment.

There being no further business to discuss, the meeting was adjourned at 11:20 a.m.

Respectfully submitted:

Marta-Ann Schnabel
Secretary

Date

