

LOUISIANA STATE BAR ASSOCIATION
HOUSE OF DELEGATES
FRIDAY, JUNE 11, 2010
SANDESTIN GOLF AND BEACH RESORT

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

The House of Delegates was convened at 11:15 a.m. on Friday, June 11, 2010, in the Baytowne Conference Center at the Sandestin Golf and Beach Resort in Destin, Florida.

I. Certification of Quorum by the Secretary

After concurring with Assistant Secretary Loretta Larsen, Ms. Boyle announced that a quorum had been certified and declared the meeting to be in session. A copy of the attendance roster is attached as an addendum to these Minutes.

II. Recognition of Deceased Members of the House of Delegates.

There were no deceased members of the House of Delegates since January 2010.

III. Reports of Standing Committees of the House

No oral reports were given; all reports that were given were submitted in writing.

IV. Reports of Officers, Board of Governors, Standing Committees and Sections of the Louisiana State Bar Association

1. Kim M. Boyle, President

Ms. Boyle had made a report to the General Assembly and waived further report.

2. Michael A. Patterson, President-Elect

Mr. Patterson waived his report.

3. Jack K. Whitehead, Jr., Treasurer

Mr. Whitehead waived his report.

Ms. Boyle advised that reports of all committees had been emailed to all members of the House.

Next Ms. Boyle advised that the House of Delegates would be electing five members for three-year terms on the Legislation Committee. She announced that the nomination period would be open for at least 15 minutes, and that all nominations should be submitted to Assistant Secretary Loretta Larsen using the forms available at each table.

Ms. Boyle then introduced a video on the foster care system which was produced by the Children's Law Committee.

At the conclusion of the video, Ms. Boyle declared the nomination period to be closed and directed staff to immediately prepare and distribute ballots to all members of the House of Delegates.

V. Reports of Special Committees of the Louisiana State Bar Association

There were no reports either written or oral.

VI. Other Reports

No oral reports were given.

VII. Old Business

There was no Old Business to be considered.

VIII. Approval of Minutes

The following motion was made:

“BE IT RESOLVED, that the minutes of the January 23, 2010 Meeting of the House of Delegates are approved.”

The motion was seconded and unanimously approved.

IX. Elections

1. Election of three (3) members of the House of Delegates to the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association. This committee was created by a resolution adopted by the House on November 13, 1971. The committee is composed of the president, president-elect, secretary, chair of the Public Information Committee, and three (3) members designated from the membership of the House of Delegates by the House of Delegates.

Ms. Boyle opened the floor for nomination for three members of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association. The following motions were made:

“BE IT RESOLVED that Keith M. Couture of the 22nd Judicial District be elected a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.”

“BE IT RESOLVED that Tyler G. Storms of the 3rd Judicial District be elected a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.”

“BE IT RESOLVED that Walter I. Willard of Orleans Parish be elected a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.”

There being no further nominations, Ms. Boyle declared the nominations closed and declared Mr. Couture, Mr. Storms and Mr. Willard elected.

2. Election of a member of the Louisiana State Bar Association to serve ex-officio as a member of the Board of Directors of the Louisiana Bar Foundation for a three-year term. This individual must be a Fellow of the Louisiana Bar Foundation.

Ms. Boyle opened the floor for nominations for a member of the Louisiana State Bar Association to serve ex-officio as a member of the Board of Directors of the Louisiana Bar Foundation for a three-year term. The following motion was made and seconded:

“BE IT RESOLVED that Donald R. Abaunza of Orleans Parish be elected to serve ex-officio as a member of the Board of Directors of the Louisiana Bar Foundation for a three-year term.”

There being no further nominations, Ms. Boyle declared the nominations closed and declared Mr. Abaunza elected.

3. Election of five (5) members of the House of Delegates to serve three-year terms on the Legislation Committee. To ensure geographically diverse representation, there shall be no more than three (3) House of Delegates representatives from a judicial district at any given time. Terms commence on July 1 immediately following the election.

The ballots were collected until the adjournment of the House of Delegates, at which time they were duly counted by LSBA staff members. The following results were posted at the LSBA registration desk later that afternoon, and circulated via the House of Delegates listserve on June 15:

<i>Charles C. Bourque – 32nd Judicial District</i>	<i>ELECTED</i>
<i>Val P. Exnicios, – Orleans Parish</i>	<i>ELECTED</i>
<i>Steven J. Farber – 21st Judicial District</i>	
<i>Bruce L. Feignerts – Orleans Parish</i>	
<i>Keenan K. Kelly – 10th Judicial District</i>	<i>ELECTED</i>
<i>Andrew Lee – Orleans Parish</i>	
<i>Michael W. McKay – 19th Judicial District</i>	<i>ELECTED</i>
<i>Ann S. Siddal – 7th Judicial District</i>	<i>ELECTED</i>
<i>Tyler G. Storms – 3rd Judicial District</i>	

X. Resolutions

Committee Resolutions

1. Resolution from the Bar Governance Committee to amend law student membership category language adopted by the House in June 2009, to address the unintended consequence of excluding certain students.

S. Guy DeLaup made the following motion. “BE IT RESOLVED that the resolution from the Bar Governance Committee to amend law student membership category language adopted by the House in June 2009, to address the unintended consequence of excluding certain students be adopted.”

The motion was seconded and adopted unanimously.

2. Resolution from the Bar Governance Committee proposing amendments of Article VIII of the Association’s Bylaws addressing the relationship between the Association and its sections.

S. Guy DeLaup made the following motion: “BE IT RESOLVED that the resolution from the Bar Governance Committee proposing amendments to Article VIII of the Association’s Bylaws addressing the relationship between the Association and its sections be adopted.”

Ms. Boyle called upon Section Council Chair Val P. Exnicios, representing the Bench & Bar Section, to speak in favor of this resolution.

The motion was seconded and adopted unanimously.

3. Resolution from the Legislation Committee requesting that the House of Delegates determine what position, if any, the Louisiana State Bar Association should take regarding an increase in the limitations of liability (Cap) in the Louisiana Medical Malpractice Act.

The following motion was made by Legislation Chair Michael W. McKay: “BE IT RESOLVED, that the resolution from the Legislation Committee requesting that the House of Delegates determine what position, if any, the Louisiana State Bar Association should take regarding an increase in limitations of liability (Cap) in the Louisiana Medical Malpractice Act be adopted.”

A number of members spoke for and against the resolution.

L. Paul Foreman from the 14th Judicial District moved to table the resolution.

The motion was seconded and a vote taken.

The motion to table the resolution was adopted.

4. Resolution from the Lawyers in Transition Committee proposing to amend the Rules of Professional Conduct to allow for the appointment of “successor attorneys” to facilitate the transition of a lawyer’s clients to another lawyer should the original lawyer become deceased, disabled, missing for any reason, or is subject to discipline which prohibits him/her from engaging in the practice of law.

The following motion was made by Edward J. Walters, Jr.: "BE IT RESOLVED, that the resolution from the Lawyers in Transition Committee proposing to amend the Rules of Professional Conduct to allow for the appointment of "successor attorneys" to facilitate the transition of a lawyer's clients to another lawyer should the original lawyer become deceased, disabled, missing for any reason, or is subject to discipline which prohibits him/her from engaging in the practice of law be adopted."

The motion was seconded and adopted unanimously.

Board of Governors Resolution

5. Resolution from the Board of Governors asking the House to join in the unfailing support of the Rules of Professional Conduct as promulgated by the Louisiana Supreme Court.

Elizabeth Erny Foote motioned "BE IT RESOLVED, that the resolution from the Board of Governors asking House to join in unfailing support of the Rules of Professional Conduct as promulgated by the Louisiana Supreme Court be adopted."

The motion was seconded and adopted unanimously.

XI. Other Business

There being no further business, the meeting was adjourned at 12:40 p.m.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Loretta Larsen", with a stylized flourish at the end.

Loretta Larsen
Assistant Secretary

December 17, 2010

**APPROVED BY HOUSE OF DELEGATES
JANUARY 22, 2011
NEW ORLEANS, LA**