

**MINUTES OF THE HOUSE OF DELEGATES
OF THE LOUISIANA STATE BAR ASSOCIATION
JUNE 12, 2003**

The House of Delegates was convened at 9:15 a.m. on Thursday, June 12, 2003, in the Baytowne Conference Center of Sandestin Golf and Beach Resort, Sandestin, Florida.

I. Certification of Quorum by the Secretary.

After reviewing the delegate check-in roster, Secretary Marta-Ann Schnabel determined that a quorum was present. A copy of the attendance roster is attached as an addendum to these Minutes. President Larry Feldman, Jr. declared the meeting to be in session.

II. Presentation for approval of the minutes of the last meeting of the House.

The following motion was made:

"BE IT RESOLVED, that the minutes of the January 25, 2003 meeting of the House of Delegates are approved."

The motion was seconded and passed unanimously.

III. Reports of Standing Committees of the House of Delegates.

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

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

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

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

1. Legislation Committee

Michael W. McKay, President-Elect Designate, presented a report on the Legislation Committee's efforts to develop procedures that would allow the LSBA to once again monitor law related legislation during the Louisiana Legislative Sessions. He indicated a resolution would be presented to the House its meeting in conjunction with the 2004 Midyear Meeting.

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

VI. Reports of Special Committees of the House of Delegates.

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

VII. OLD BUSINESS

- 1. Resolution from Special House of Delegates Committee on Funding of Judicial Campaigns proposing establishment of Judicial Campaign Matching Fund, said fund to be financed by a \$175 per year per member assessment.**

Roy Raspanti, chair of the special House committee, made the following motion:

“BE IT RESOLVED, that the resolution proposing the establishment of a Judicial Campaign Matching Fund, said fund to be financed by a \$175 per year per member assessment, a copy of which is attached, be adopted.”

The motion was seconded. Messres. Donald R. Abaunza, Phillip A. Wittmann and Roy Raspanti, committee members, spoke on behalf of the resolution. Following discussion a motion was made to call the question, said motion being seconded and receiving a two-thirds majority vote. A voice vote was made and it was determined that the resolution was defeated. A division of the House was called and the resolution was defeated by a vote of 40 in favor and 113 against.

- 2. Substitute resolution from Bar Governance Committee regarding size of the House of Delegates. A Special Committee to Study the Size of the House of Delegates was originally appointed at the January 2002 House of Delegates meeting.**

Larry J. Centola, Jr., committee chair, made the following motion:

“BE IT RESOLVED, that the substitute resolution from the Bar Governance Committee regarding size of the House of Delegates, a copy of which is attached, be approved.”

The motion was seconded. Mr. Steve Griffith offered the following friendly amendment:

“BE IT RESOLVED, that the substitute resolution from the Bar Governance Committee regarding size of the House of Delegates be amended by the addition of “no one district should have more than five delegates” at the end of the resolution.”

The motion to amend was seconded. Mr. Centola did not accept the amendment as a friendly amendment and a voice vote was taken. The amendment was defeated. A voice vote was then taken on the substitute resolution as presented. The motion was defeated.

VIII. NEW BUSINESS

1. Election of a member from the House of Delegates to serve on the Budget Committee.

The following motion was made by E. Wade Shows:

"BE IT RESOLVED, that Leo C. Hamilton of Baton Rouge be elected to serve on the Budget Committee."

The motion was seconded and unanimously adopted.

2. 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, chairperson of the Public Information Committee, and three (3) members designated from the membership of the House of Delegates by the House of Delegates.

The following motion was made by Mathile W. Abramson:

"BE IT RESOLVED, that Sheri M. Morris of Baton Rouge be elected to serve as a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association."

The following motion was made by Phillip A. Wittmann:

"BE IT RESOLVED, that Brent B. Barriere of New Orleans be elected to serve as a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association."

The following motion was made by David L. Thornhill:

"BE IT RESOLVED, that Elizabeth A. Alston of Mandeville be elected to serve as a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association."

There being no further nominations, the motions were adopted unanimously and Ms. Morris, Mr. Barriere and Ms. Alston were elected.

3. Election of a member of the House of Delegates to serve, without vote, on the Committee on Continuing Legal Education (Mandatory CLE).

The following motion was made by Ralph Brewer:

"BE IT RESOLVED, that Gerald T. Arbour of Baton Rouge be elected to serve on the Committee on Continuing Legal Education."

The motion was seconded and adopted unanimously.

4. Resolution from Board of Governors to amend Articles of Incorporation to allow for online voting.

S. Guy deLaup, Second Board District Representative, made the following motion:

"BE IT RESOLVED, that the resolution from the Board of Governors to amend the Articles of Incorporation to allow for online voting, a copy of which is attached, be adopted."

The motion was seconded and adopted unanimously.

5. Resolution from Thomas Lorenzi, 14th Judicial District, to allow LSBA to file amicus briefs on post-conviction funding and to otherwise support adequate funding of legal representation in post-conviction cases.

Thomas L. Lorenzi, delegate, 14th Judicial District, made the following motion:

"BE IT RESOLVED, that the resolution allowing the LSBA to file amicus briefs on post-conviction funding and to otherwise support adequate funding of legal representation in post-conviction cases, a copy of which is attached, be adopted."

The following friendly amendment was made by Mr. Steven G. Durio:

"BE IT RESOLVED, that the resolution allowing the LSBA to file amicus briefs on post-conviction funding be amended by the deletion of item number one under the "resolved" portion of the resolution."

The motion was seconded and the amendment was accepted by the Mr. Lorenzi. The following motion was then made:

"BE IT RESOLVED, that the resolution, as amended, allowing the LSBA to file amicus briefs on post-conviction funding and to otherwise support adequate funding of legal representation in post-conviction cases, a copy of which is attached, be adopted."

The motion was seconded and adopted.

- 6. Resolution from James E. Boren, 19th Judicial District, and Thomas L. Lorenzi, 14th Judicial District, urging all three branches of state government to cooperate to establish a Blue Ribbon Commission to develop a strategic plan for indigent defense system reform and set a timetable for implementation.**

James E. Boren, 19th Judicial District, made the following motion:

"BE IT RESOLVED, that the resolution from delegates James E. Boren and Thomas L. Lorenzi urging all three branches of the state government to cooperate to establish a Blue Ribbon Commission to develop a strategic plan for indigent defense defense system reform and set a timetable for implementation, a copy of which is attached, be adopted."

The motion was seconded and adopted.

- 7. Resolution from John S. Coulter, 19th Judicial District, to request that the Supreme Court and the five courts of appeal make available all of their opinions and orders on their respective web sites.**

Mr. John S. Coulter, 19th Judicial District, made the following motion:

"BE IT RESOLVED, that the resolution requesting the Supreme Court and the five courts of appeal make available all of their opinions and orders on their respective web sites, a copy of which is attached, be adopted."

The motion was seconded and adopted unanimously.

8. **Resolution from Tyler Graham Storms, 3rd Judicial District, to amend the Articles of Incorporation to provide for the payment of all actual expenses, within budgetary limitations, incurred by officers, Board members and members of the House of Delegates for attendance at annual meetings of the Association.**

Tyler Graham Storms, 3rd Judicial District, made the following motion:

"BE IT RESOLVED, that the resolution, to amend the Articles of Incorporation to provide for the payment of all actual expenses, within budgetary limitations, incurred by officers, Board members and members of the House of Delegates for attendance at annual meetings of the Association, a copy of which is attached, be adopted."

The motion was seconded. Following discussion, a vote was taken and the resolution defeated.

9. **Resolution from Insurance, Negligence, Compensation and Admiralty Law Section to change section's name to Section in Insurance, Tort, Workers Compensation and Admiralty Law.**

John Zachary Blanchard, Jr., section chair, made the following motion:

"BE IT RESOLVED, that the resolution from the Insurance, Negligence, Compensation and Admiralty Law Section to change the section's name to Section in Insurance, Tort, Workers Compensation and Admiralty Law, a copy of which is attached, be adopted."

The motion was seconded and adopted.

10. Resolution from Bar Governance Committee to amend Articles of Incorporation to limit representation of any parish within a Board district to two consecutive terms for district representative positions.

Lawrence J. Centola, Jr., committee chair, made the following motion:

"BE IT RESOLVED, that the resolution from the Bar Governance Committee to amend the Articles of Incorporation to limit representation of any parish within a Board district to two consecutive terms for district representative positions, a copy of which is attached, be adopted."

The motion was seconded. Following discussion, a voice vote was taken and the resolution was defeated.

11. Resolution from Bar Governance Committee to move dues provision from Articles of Incorporation to Bylaws.

Lawrence J. Centola, Jr., committee chair, made the following motion:

"BE IT RESOLVED, that the resolution from the Bar Governance Committee to move the dues provision from the Articles of Incorporation to the Bylaws, a copy of which is attached, be adopted."

The motion was seconded. Following discussion, a voice vote was taken and the resolution was adopted.

12. Resolution from Multijurisdictional Practice Committee to approve amendments to the Rules of Professional Conduct with regard to multijurisdictional practice.

Joseph L. Shea, Jr., committee chair, made the following motion:

"BE IT RESOLVED, that the resolution from the Multijurisdictional Practice Committee to approve amendments to the Rules of Professional Conduct with regard to multijurisdictional practice, a copy of which is attached, be adopted."

The motion was seconded. Following discussion, a voice vote was taken and the resolution was adopted.

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There being no further business before the House, President Feldman declared the meeting adjourned at 10:55 a.m.

Respectfully Submitted by:

Marta-Ann Schnabel
Secretary

Date