

**MINUTES OF THE HOUSE OF DELEGATES  
OF THE LOUISIANA STATE BAR ASSOCIATION  
January 20, 2007**

The House of Delegates was convened at 9:10 a.m. on Saturday, January 20, 2007, in the Ile de France III Ballroom at the J.W. Marriott Hotel in New Orleans.

**I. Certification of Quorum by the Secretary.**

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

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

President Schnabel noted there were no deceased members of the House of Delegates since the June 8, 2006 meeting.

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

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.**

1. James R. Nieset, Treasurer  
Mr. Nieset supplemented his written report, briefly reviewing the association's financial situation following Hurricanes Katrina and Rita and the current income and expense experience.

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

1. Rules of Professional Conduct Committee – Richard C. Stanley, Chair  
Mr. Stanley supplemented his written report, informing the House that the deadline for submission of written comments on the proposed amendments to the Rules of Professional Conduct dealing with lawyer advertising and solicitation had been extended. He encouraged the delegates to review the printed proposal and submit comments.

**VI. Consideration of Approval of the Minutes of the June 8, 2006 meeting of the House of Delegates.**

The following motion was made:

“BE IT RESOLVED, that the minutes of the June 8, 2006 meeting of the House of Delegates are approved.”

The motion was seconded and unanimously approved.

**VII. Old Business.**

There was no old business to be considered.

**VIII. New Business.**

- 1. Election from the 1<sup>st</sup> through 19<sup>th</sup> Judicial Districts of a chairperson and two (2) members of the House of Delegates to the Liaison Committee of the House. The chairperson will serve a one-year term (June 2007 through June 2008) as an ex-officio member of the Board of Governors and shall have the same rights and privileges of all other members of the Board, including the right to vote.**

The following motion was made by Timothy A. Maragos:

“BE IT RESOLVED, that Richard L. Becker of the 15<sup>th</sup> Judicial District serve as chair of the Liaison Committee of the House of Delegates.”

The motion was seconded. The following motion was made by Michael D. Ferachi:

“BE IT RESOLVED, that Jack K. Whitehead, Jr. of the 19<sup>th</sup> Judicial District serve as chair of the Liaison Committee of the House of Delegates.”

The motion was seconded. A vote was taken and Richard L. Becker of the 15<sup>th</sup> Judicial District was declared elected to serve as chair of the Liaison Committee of the House of Delegates.

The following motion was made by Timothy A. Maragos:

“BE IT RESOLVED, that Jack K. Whitehead, Jr. of the 19<sup>th</sup> Judicial District serve as a member of the Liaison Committee of the House of Delegates.”

The motion was seconded. The following motion was then made by Jeffrey A. Riggs:

“BE IT RESOLVED, that Jeffrey A. Riggs of the 15<sup>th</sup> Judicial District serve as a member of the Liaison Committee of the House of Delegates.”

The motion was seconded. The following motion was then made by Douglas L. Bryan:

“BE IT RESOLVED, that Douglas L. Bryan of the 12<sup>th</sup> Judicial District serve as a member of the Liaison Committee of the House of Delegates.”

A vote was taken and Messrs. Jack K. Whitehead, Jr. of the 19<sup>th</sup> Judicial District and Jeffrey A. Riggs of the 15<sup>th</sup> Judicial District were elected to serve as members of the Liaison Committee of the House of Delegates.

**2. Resolution from Bar Governance Committee proposing amendment to the Articles of Incorporation of the Louisiana State Bar Association, Article VIII, Section 1, to memorialize the House of Delegates Rules of Procedure.**

The following motion was made by Larry Feldman, Jr.;

“BE IT RESOLVED, that the resolution from the Bar Governance Committee proposing amendment to the Articles of Incorporation of the Louisiana State Bar Association, Article VIII, Section 1, to memorialize the House of Delegates Rules of Procedure, a copy of which is attached, be adopted.”

The motion was seconded and unanimously adopted.

**3. Resolution from Subcommittee on the Erosion of the Attorney-Client Privilege, under the authority of the Rules of Professional Conduct Committee, requesting LSBA support of the preservation of the attorney-client privilege; opposing policies, practices and procedures of governmental bodies that have the effect of eroding the attorney-client privilege and opposing the practice by government officials seeking to obtain a waiver of the attorney-client privilege.**

The following motion was made by Jim E. Boren;

“BE IT RESOLVED, that the resolution from the Subcommittee on the Erosion of the Attorney-Client Privilege, under the authority of the Rules of Professional Conduct Committee, requesting LSBA support of the preservation of the attorney-client privilege; opposing policies, practices and procedures of governmental

bodies that have the effect of eroding the attorney-client privilege and opposing the practice by government officials seeking to obtain a waiver of the attorney-client privilege, a copy of which is attached, be adopted.”

The motion was seconded. Ms. Reeves-Floyd moved to amend the resolution by the inserting the word “routine” in the third resolved, line 2, so that the resolution as amended would read “opposes the routine practice...” The motion was seconded and adopted. A vote was then taken on the original motion as amended and it was adopted unanimously.

**4. Resolution from Right to Counsel Committee requesting the LSBA urge the State of Louisiana to recognize Public Defenders as an essential part of the Criminal Justice System.**

The following motion was made by Frank X. Neuner, Jr.;

“BE IT RESOLVED, that the resolution from the Right to Counsel Committee requesting the LSBA urge the State of Louisiana to recognize Public Defenders as an essential part of the Criminal Justice System, a copy of which is attached, be adopted.”

The motion was seconded. Mr. Stricks offered an amendment to add language so that as amended the resolution would read, “THEREFORE BE IT RESOLVED, that the Louisiana State Bar Association urges that the State of Louisiana recognize Public Defenders as an essential part of the Criminal Justice System and further, accorded the reasonable resources, professionalism and mutual respect of the Government and Leadership of Louisiana, including the Bar, the Government, and the Public.” Mr. Neuner accepted the amendment as a friendly amendment and a vote was taken. The motion was adopted unanimously.

**5. Resolution from the Appellate Section proposing amendment to the section’s bylaws.**

The following motion was made by Rene deLaup;

“BE IT RESOLVED, that the resolution from the Appellate Section proposing amendment to the section’s bylaws, a copy of which is attached, be adopted.”

The motion was seconded and unanimously adopted.

**6. Resolution from the Young Lawyers Section Council proposing amendment to the section's bylaws.**

The following motion was made by Mark E. Morice;

“BE IT RESOLVED, that the resolution from the Young Lawyers Section Council proposing amendment to the section's bylaws, a copy of which is attached, be adopted.”

The motion was seconded and unanimously adopted.

**7. Resolution from the Board of Governors proposing amendment to the Bylaws of the Louisiana State Bar Association, Article 1, Section 1, to increase annual dues for members.**

The following motion was made by W. Jay Luneau:

“BE IT RESOLVED, that the resolution from the Board of Governors proposing amendment to the Bylaws of the Louisiana State Bar Association, Article 1, Section 1, to increase annual dues for members, a copy of which is attached, be adopted.”

The motion was seconded, and a voice vote was taken. A delegate then moved that the vote be conducted by roll call. The motion was supported by at least ten members, and upon consultation with the Parliamentarian, it was adopted. The roll call vote was conducted and the resolution was adopted by a vote of 156 in favor and 33 against. A copy of the roll call is attached to these minutes.

There being no further business to discuss, the meeting was adjourned at 10:53 a.m.

Respectfully Submitted:

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E. Wade Shows, Secretary

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Date