

**MINUTES OF THE HOUSE OF DELEGATES
OF THE LOUISIANA STATE BAR ASSOCIATION
January 21, 2006**

The House of Delegates was convened at 9:15 a.m. on Saturday, January 21, 2006 at the Lod Cook Conference Center in Baton Rouge, Louisiana.

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 Frank X. Neuner, Jr. declared the meeting to be in session.

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

President Neuner noted there were no deceased members of the House of Delegates since the June 27, 2005 meeting.

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

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

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

1. Frank X. Neuner, Jr., President
 - a. ABA President.

President Neuner informed the House that ABA President Michael S. Greco attended the Past President's Dinner as well as the Access to Justice Committee meeting, Professionalism and Quality of Life Committee meeting and the Section Council meeting.
 - b. Minnesota State Bar Association.

President Neuner reported that Susan Holden, President of the Minnesota State Bar Association, raised \$400,000 for legal relief efforts following Hurricanes Katrina and Rita.
 - c. Hurricane Relief Fund.

President Neuner stated that nearly \$500,000 was donated to the relief fund established by the LSBA and Louisiana Bar Foundation. Five hundred grants in the amount of \$500 have been provided to attorneys in the affected areas and funds have been used to establish business centers at the Louisiana Bar Center and New Orleans Bar Association. The LSBA is currently working with attorneys in St. Bernard Parish to establish a business center there. Additionally, LSBA will propose to use some of the remaining funds to provide a grant to enable hiring of two indigent defense lawyers in New Orleans.

2. E. Wade Shows, Secretary
Mr. Shows announced that the LSBA would begin printing the *Journal* beginning with the February issue and “Bar Briefs” beginning with the March issue. He noted that printing of the publications was suspended due to mail interruptions and the displacement of one-third of the LSBA membership following Hurricanes Katrina and Rita.
3. Kim M. Boyle, Treasurer
Ms. Boyle highlighted sections of the printed Treasurer’s Report distributed to each member of the House.

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

1. Professionalism & Quality of Life Committee.
Mr. Bobby Delise, committee co-chair, presented to President Neuner the Professionalism and Quality of Life Committee’s Professionalism Award for his dedicated services in assisting the Bench and Bar in reestablishing the Rule of Law in the storm-affected areas of Louisiana and for his successful efforts in assisting the lawyers of Louisiana in the aftermath of Hurricanes Katrina and Rita.
2. Hurricane Relief Task Force.
In the absence of task force co-chairs Michael H. Rubin and Elizabeth Erny Foote, President Neuner reported on the efforts of the task force in establishing the legal assistance call center for victims of Hurricanes Katrina and Rita; working with the Supreme Court to provide reciprocity for non-Louisiana licensed attorneys to provide pro bono services to hurricane victims, and the distribution of funds for the Disaster Relief Fund.

Special Order of Business

President-Elect Marta-Ann Schnabel invited Ms. Karen Lash with Equal Justice Works to announce the Equal Justice Works Katrina Initiative. Ms. Lash reported that Equal Justice Works has obtained a \$1 million matching grant from the JEHT Foundation to sponsor public interest attorneys to work in the Gulf Coast region for up to two years to provide direct legal services to Gulf Coast residents. Equal Justice Works will place nine Katrina Legal Fellows at host organizations in Louisiana, Texas and Mississippi.

VI. Old Business.

President Neuner referred the delegates to a response from the Supreme Court of Louisiana to the June 2005 House of Delegates resolutions concerning five-year preemption period and five-year file retention period. No House action was required.

VII. Consideration of Approval of the Minutes of the June 27, 2005 Meeting of the House of Delegates.

The following motion was made:

“BE IT RESOLVED, that the minutes of the June 27, 2005 meeting of the House of Delegates are approved.”

The motion was seconded and unanimously approved.

VIII. New Business.

- 1. Election from the 20th through 40th Judicial Districts and Orleans Parish 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 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 committee members will be invited to all Board meetings but shall not have the right to vote.**

The following motion was made by Darrel J. Papillion:

“BE IT RESOLVED, that J. Christopher Peters of the 28th Judicial District serve as chair of the Liaison Committee to the House of Delegates.”

The motion was seconded. There being no further nominations for committee chair, J. Christopher Peters of the 28th Judicial District was declared elected as chair of the Liaison Committee to the House of Delegates.

The following motion was made by Phillip A. Wittmann:

“BE IT RESOLVED, that Robert A. Kutcher of the 24th Judicial District serve as a member of the Liaison Committee to the House of Delegates.”

The motion was seconded.

The following motion was made by Andre' J. Mouledoux:

“BE IT RESOLVED, that Jack C. Benjamin, Jr. of Orleans Parish serve as a member of the Liaison Committee to the House of Delegates.”

The motion was seconded.

The following motion was made by John A. Hernandez III:

“BE IT RESOLVED, that Walter I. Willard of Orleans Parish serve as a member of the Liaison Committee to the House of Delegates.”

The motion was seconded and a vote taken. Messrs. Robert A. Kutcher of the 24th Judicial District and Jack C. Benjamin, Jr. of Orleans Parish were declared elected to serve as members of the Liaison Committee to the House of Delegates.

2. **Resolution from Right to Counsel Committee requesting support of the timely implementation of Act 343 and that the LSBA encourage Governor Kathleen Babineaux Blanco to make the appointments specified in the Act expeditiously.**

The following motion was made by James A. Boren:

“BE IT RESOLVED, that the resolution from Right to Counsel Committee requesting support of the timely implementation of Act 343 and that the LSBA encourage Governor Kathleen Babineaux Blanco to make the appointments specified in the Act expeditiously, a copy of which is attached, be adopted.”

The motion was seconded and adopted unanimously.

3. **Resolution from Bar Governance Committee to amend Article VIII, Section 11 of the Bylaws of the Louisiana State Bar Association to increase the membership of the Legal Malpractice Insurance Committee and establish a maximum term for members of the committee.**

The following motion was made by Adrienne L. Baumgartner:

“BE IT RESOLVED, that the resolution from Bar Governance Committee to amend Article VIII, Section 11 of the Bylaws of the Louisiana State Bar Association to increase the membership of the Legal Malpractice Insurance Committee and establish a maximum term for members of the committee, a copy of which is attached, be adopted.”

The motion was seconded and unanimously adopted.

4. **Resolution from Bar Governance Committee to amend Article VIII, Section (4) of the Bylaws of the Louisiana State Bar Association to establish a formal rotation of At-Large members of the Legislation Committee and the implementation of an alternative means of continuing the legislative initiative for bar years 2005-2006 and 2006-2007, or until such time as the Association recovers from the economic impact of Hurricane Katrina.**

The following motion was made by Phillip A. Wittmann:

“BE IT RESOLVED, that the resolution from Bar Governance Committee to amend Article VIII, Section (4) of the Bylaws of the Louisiana State Bar Association to establish a formal rotation of At-Large members of the Legislation Committee and the implementation of an alternative means of continuing the legislative initiative for bar years 2005-2006 and 2006-2007, or until such time as the Association recovers from the economic impact of Hurricane Katrina, a copy of which is attached, be adopted.”

The motion was seconded. A motion was made to amend the “Resolved” to add “for years 2005-2006 and 2006-2007 only.” The motion was considered a friendly amendment and accepted as such by Mr. Wittmann.

The following motion was made by Timothy E. Pujol:

“BE IT RESOLVED, that the proposed amendments to Article X, Section 1, be defeated.”

The motion was seconded and adopted. The following motion was then made:

“BE IT RESOLVED, that Article X, Section 2(f) be stricken from the Bylaws.”

The motion was seconded and adopted. The following motion was made by Elizabeth A. Alston:

“BE IT RESOLVED, that Article X, Section 3(a) be amended to include notification of the Legislation Committee and House of Delegates.”

The motion was considered a friendly amendment and accepted as such by Mr. Wittmann.

A vote was then taken on the motion as amended. The motion was adopted by a vote of 88 in favor and 68 against.

5. Resolution from Eric P. Duplantis, Delegate from the 16th Judicial District, to amend Article VIII, Section (4) of the Articles of Incorporation of the Louisiana State Bar Association, to change the attendance requirements of members of the House of Delegates.

The following motion was made by Eric P. Duplantis:

“BE IT RESOLVED, that the resolution from Eric P. Duplantis, Delegate from the 16th Judicial District, to amend Article VIII, Section (4) of the Articles of Incorporation of the Louisiana State Bar Association, to change the attendance requirements of members of the House of Delegates, a copy of which is attached, be adopted.”

The motion was seconded and a vote taken. The motion was adopted by a vote of 102 in favor and 56 against.

There being no further business to discuss, the meeting was adjourned at 11.50 a.m.

Respectfully Submitted:

E. Wade Shows
Secretary

Date

