

**MINUTES OF THE HOUSE OF DELEGATES  
OF THE LOUISIANA STATE BAR ASSOCIATION  
June 7, 2007**

The House of Delegates was convened at 11:20 a.m. on Friday, June 7, 2007, in the Baytowne Conference Center at the Sandestin Golf and Beach Resort in Sandestin, Florida.

**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.**

No members of the House of Delegates were reported deceased.

**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.**

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

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

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

**VI. Other Reports.**

1. Louisiana Board of Legal Specialization  
No verbal report was given. A written report was distributed with the meeting materials.

**VII. Old Business.**

1. Consideration of corrections to the minutes of the June 12, 2003 Meeting of the House of Delegates.

The following motion was made:

“BE IT RESOLVED, that the Minutes of the June 12, 2003 meeting of the House of Delegates be amended so that the last line of Item 11 reads, “of which is attached, be adopted.”, and the last line of Item 12 reads, “regard to multijurisdictional practice, a copy of which is attached, be adopted.”

The motion was seconded and adopted unanimously.

2. Ratification and adoption of the Resolution to increase member dues as passed in the January 2007 House of Delegates meeting.

The following motion was made by W. Jay Luneau:

“BE IT RESOLVED, that the House of Delegates ratify and adopt the Resolution to increase member dues as passed in the January 2007 House of Delegates meeting.

The motion was seconded and adopted unanimously.

**VIII. Consideration of Approval of the Minutes of the January 20, 2007 Meeting of the House of Delegates.**

The following motion was made:

“BE IT RESOLVED, that the minutes of the January 20, 2007 meeting of the House of Delegates are approved.”

The motion was seconded and unanimously approved.

**IX. New Business.**

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

The following motion was made by Jack K. Whitehead, Jr.:

“BE IT RESOLVED, that Daniel A. Cavell of the 17<sup>th</sup> Judicial District serve as a member from the House of Delegates to serve on the Budget Committee.”

The motion was seconded and Mr. Cavell was elected by acclamation.

- 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, chair 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 E. Wade Shows:

“BE IT RESOLVED, that Paul R. Baier of the Bill of Rights Section serve as a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.”

The motion was seconded.

The following motion was made by Mickey S. deLaup:

“BE IT RESOLVED, that Robert A. Kutcher of the 24<sup>th</sup> Judicial District serve as a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.”

The motion was seconded.

The following motion was made by Val P. Exnicios:

“BE IT RESOLVED, that Paula Adams Ates of the Civil Law and Litigation Section serve as a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.”

The motion was seconded. There being no further nominations, Paul R. Baier of the Bill of Rights Section, Robert A. Kutcher of the 24<sup>th</sup> Judicial District and Paula Adams Ates of the Civil Law and Litigation Section were declared elected as members of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.

- 3. 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.**

The following motion was made by John Swift:

“BE IT RESOLVED, that James C. Gulotta, Jr. of Orleans Parish serve as an ex-officio member of the Board of Directors of the Louisiana Bar Foundation for a three-year term.”

The motion was seconded and Mr. Gulotta was elected by acclamation.

**4. Resolution from Art, Entertainment and Sports Law Section regarding motion picture tax credits.**

The following motion was made by Michele LeBlanc:

“BE IT RESOLVED, that the resolution from Art, Entertainment and Sports Law Section regarding motion picture tax credits, a copy of which is attached, be tabled.”

The motion was seconded and adopted unanimously.

**5. Resolution from Solo and Small Firm Section to amend the Section’s Bylaws.**

The following motion was made by Faun Fenderson:

“BE IT RESOLVED, that the resolution from Solo and Small Firm Section to amend the Section’s Bylaws, a copy of which is attached, be adopted.”

The motion was seconded and adopted unanimously.

**6. Resolution from Public Utilities Section to amend the Section’s Bylaws.**

The following motion was made by David L. Guerry:

“BE IT RESOLVED, that the House of Delegates unanimously consent to suspend its rules of order to allow discussion of a resolution not on the agenda.”

The motion was seconded and adopted unanimously.

The following motion was made by David L. Guerry:

“BE IT RESOLVED, that the resolution from Public Utilities Section to amend the Section’s bylaws, a copy of which is attached, be adopted.”

The motion was seconded and adopted unanimously.

7. **Resolution from John J. Lee, Jr., Delegate from the 24<sup>th</sup> Judicial District, to allow a member in good standing to run for the House of Delegates from either the Judicial District wherein he resides or where his law office is located.**

The following motion was made by John J. Lee:

“BE IT RESOLVED, that the Resolution from John J. Lee, Jr., Delegate from the 24<sup>th</sup> Judicial District, to allow a member in good standing to run for the House of Delegates from either the Judicial District wherein he resides or where his law office is located, a copy of which is attached, be adopted.”

The motion was seconded. Mr. Whitehead then made the following motion:

“BE IT RESOLVED, that the resolution from John J. Lee, Jr., Delegate from the 24<sup>th</sup> Judicial District, to allow a member in good standing to run for the House of Delegates from either the Judicial District wherein the resides or where his law office is located, a copy of which is attached, be tabled and referred to the Bar Governance Committee.”

The motion was seconded and adopted.

8. **Resolution from Bar Governance Committee amending House of Delegates Rules of Procedure regarding the number of duly elected members required to constitute a quorum.**

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

“BE IT RESOLVED, that the resolution from Bar Governance Committee amending House of Delegates Rules of Procedure regarding the number of duly elected members required to constitute a quorum, a copy of which is attached, be adopted.”

The motion was seconded and a vote taken. The motion was defeated.

**9. Resolution from Marquis de Lafayette Committee to recognize and honor Marie Joseph Paul Yves Roche Gilbert du Motier, the Marquis de Lafayette.**

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

“BE IT RESOLVED, that the resolution from Marquis de Lafayette Committee to recognize and honor Marie Joseph Paul Yves Roche Gilbert du Motier, the Marquis de Lafayette, a copy of which is attached, be adopted.”

The motion was seconded and adopted unanimously.

**10. Resolution from Rules of Professional Conduct Committee to modify the Louisiana Rules of Professional Conduct concerning lawyer advertising in Louisiana.**

The following motion was made by Larry Shea:

“BE IT RESOLVED, that the resolution from Rules of Professional Conduct Committee to modify the Louisiana Rules of Professional Conduct concerning lawyer advertising in Louisiana, a copy of which is attached, be adopted.”

The motion was seconded and discussion followed. The chair then called upon Elizabeth A. Alston to present her resolution to amend the resolution submitted by the Rules of Professional Conduct Committee.

**11. Resolution from Elizabeth A. Alston to amend the resolution from Rules of Professional Conduct Committee to modify the Louisiana Rules of Professional Conduct concerning lawyer advertising.**

The following motion was made by Elizabeth A. Alston:

“BE IT RESOLVED, that the resolution from Elizabeth A. Alston to amend the resolution from Rules of Professional Conduct Committee to modify the Louisiana Rules of Professional Conduct concerning lawyer advertising, a copy of which is attached, be adopted.”

The motion was seconded. The chair then ruled that the resolution would be discussed in subparts such that each Rule of Professional Conduct proposed to be amended by the resolution would be considered separately.

Ms. Alston then made the following motion:

“BE IT RESOLVED, that the amendment to delete Rules 7.7 and 7.8 of the resolution to modify the Louisiana Rules of Professional Conduct concerning lawyer advertising be adopted.”

The motion was seconded and a vote taken. The motion was defeated. Ms. Alston then made the following motion:

“BE IT RESOLVED, that the proposed amendments to Rule 7.2 of the resolution to modify the Louisiana Rules of Professional Conduct concerning lawyer advertising be adopted.”

The motion was seconded and a vote taken. The motion was defeated. Ms. Alston then made the following motion:

“BE IT RESOLVED, that the proposed amendments to Rule 7.4 of the resolution to modify the Rules of Professional Conduct concerning lawyer advertising be adopted.”

The motion was seconded and a vote taken. The motion was defeated. Ms. Alston then made the following motion:

“BE IT RESOLVED, that the proposed amendments to Rule 7.5 of the resolution to modify the Rules of Professional Conduct concerning lawyer advertising be adopted.”

The motion was seconded and a vote taken. The motion was defeated. Ms. Alston then made the following motion:

“BE IT RESOLVED, that the proposed amendments to Rule 7.9 of the resolution to modify the Rules of Professional Conduct concerning lawyer advertising be adopted.”

The motion was seconded and a vote taken. The motion was defeated.

The chair then declared the resolution proposing amendments, in all of its subparts, defeated.

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The chair then opened the floor to discussion of the original resolution submitted by the Rules of Professional Conduct Committee. A vote was taken and the motion was adopted.

There being no further business to discuss, the meeting was adjourned at 12:55 p.m.

Respectfully Submitted by:

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E. Wade Shows  
Secretary

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Date