

LOUISIANA STATE BAR ASSOCIATION HOUSE OF DELEGATES

**Saturday, January 19, 2013
New Orleans, LA**

MINUTES

The House of Delegates was convened at 9:05 a.m. Saturday, January 19, 2013, in the Blaine Kern Ballroom of the New Orleans Marriott at the Convention Center. President John H. Musser IV reminded House members that nominations for positions on the Legislation Committee would close in five (5) minutes and encouraged members to submit their nominations to LSBA staff members.

I. Certification of Quorum by the Secretary

After conferring with Assistant Secretary Loretta Larsen, Secretary Edward J. Walters, Jr. confirmed that a quorum was present. A copy of the attendance roster is attached as an addendum to these Minutes.

II. Recognition of Deceased Members of the House of Delegates

Mr. Musser announced with sadness that John A. Hernandez III, founding chair of the Francophone Section and member of the House of Delegates, had passed away in September 2012. The House observed a moment of silence in his memory.

General Session

III. Reports of Standing Committees of the House *

There were no reports from standing committees of the House.

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

Officers

1. President, John H. Musser IV

Mr. Musser gave a brief report on the activities and accomplishments of the Association in the first six months of his term.

2. President-Elect, Richard K. Leefe

Mr. Leefe reported on the following:

- a. The LSBA is coordinating a CLE opportunity while cruising the Danube River on December 8 – December 15, 2013. Mr. Leefe showed a video with more information on the cruise and noted that this was being offered to members at no cost to the LSBA. Mr. Leefe encouraged those interested to register as soon as possible as space is limited;*

- b. The 2014 Midyear Meeting will take place in Baton Rouge at the Renaissance Hotel;*
 - c. The 2013 combined Summer School and Annual Meeting is scheduled for June 2 through 7 at Sandestin Golf & Beach Resort in Destin, Florida.*
- 3. Secretary, Edward J. Walters, Jr.
Mr. Walters waived his report.
- 4. Treasurer, Steven G. “Buzz” Durio
Mr. Durio reported on a clean LSBA audit and encouraged the House members to contact the Budget Committee with any questions or input.

Committees

- 1. Diversity Committee
Barbara B. Ormsby, Member
After a brief introduction from Diversity Committee Co-Chair Chauntis T. Jenkins, Ms. Ormsby reported on the upcoming LSBA Diversity Conclave scheduled for March 8 at the Renaissance Hotel in Baton Rouge.

Sections

- 1. Solo and Small Firm Section
Mr. Musser gave a brief overview of the Solo and Small Firm Conference scheduled for Thursday, February 14 and Friday, February 15 in New Orleans, and encouraged all to attend.

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

- 1. Title Standards Publication Committee
Mary H. Holmes, Co-Chair
Ms. Holmes reported on the recent formation of the Title Standards Publications Committee and encouraged those interested in volunteering to contact her.

VI. Other Reports

- 1. Mandatory Continuing Legal Education Committee
Daniel A. Cavell, Chair
Mr. Cavell gave a report on the recent activities of the committee and referred members to his written report.
- 2. Lawyers Assistance Program
J.E. “Buddy” Stockwell III, Executive Director
Mr. Stockwell provided an update on the Lawyers Assistance Program.

Activities of the House of Delegates

VII. Old Business

There was no old business to consider.

VIII. Approval of Minutes

Consideration of Approval of the Minutes of the June 7, 2012 Meeting of the House of Delegates in Destin, Florida.

Upon motion and second, the minutes were unanimously approved as presented.

IX. Elections

1. Election of one member to serve a three-year term on the House of Delegates Liaison Committee, to commence at the conclusion of the 2013 Annual Meeting and end at the conclusion of the 2016 Annual Meeting. This member shall be elected from House of Delegates members representing the 1st through 19th Judicial Districts.

Mr. Musser opened the floor for nominations.

The following motion was made by Frank X. Neuner, Jr. of the 15th Judicial District, by proxy from Barbara A. Olinde:

“BE IT RESOLVED that Tricia R. Pierre of the 15th Judicial District be elected to the House of Delegates Liaison Committee as a member representing the 1st through 19th Judicial Districts, for a three-year term to commence at the conclusion of the 2013 Annual Meeting and to end at the conclusion of the 2016 Annual Meeting.”

The following motion was made by Michael Ferachi of the 19th Judicial District:

“BE IT RESOLVED that Kelly E. Balfour of the 19th Judicial District be elected to the House of Delegates Liaison Committee as a member representing the 1st through 19th Judicial Districts, for a three-year term to commence at the conclusion of the 2013 Annual Meeting and to end at the conclusion of the 2016 Annual Meeting.”

The following motion was made by Dan McKay of the 12th Judicial District:

“BE IT RESOLVED that Douglas L. Bryan of the 12th Judicial District be elected to the House of Delegates Liaison Committee as a member representing the 1st through 19th Judicial Districts, for a three-year term to commence at the conclusion of the 2013 Annual Meeting and to end at the conclusion of the 2016 Annual Meeting.”

The motion to close nominations was made and seconded. A vote and a run-off vote

were held and Ms. Pierre was elected to the House of Delegates Liaison Committee. The motion to close nominations was made and seconded. A vote and a run-off vote were held and Ms. Pierre was elected to the House of Delegates Liaison Committee for a three-year term beginning in 2013 and ending in 2016.

2. Election, from the three Liaison Committee members, of a Chair of the House of Delegates Liaison Committee for 2013 – 2014, whose term will commence at the conclusion of the 2013 Annual Meeting. The Chair of the Liaison Committee is a voting member of the Board of Governors.

The following motion was made by Robert A. Kutcher of the 24th Judicial District:

“BE IT RESOLVED that Jeffrey A. Riggs of the 15th Judicial District be elected Chair of the House of Delegates Liaison Committee for a one-year term to commence at the conclusion of the 2013 Annual Meeting and to end at the conclusion of the 2014 Annual Meeting.”

Mr. Riggs of the 15th Judicial District was elected by acclamation.

3. Election of a member of the House of Delegates to serve on the Budget Committee for the term beginning July 1, 2013 and ending June 30, 2015.

The following motion was made by Jeffrey A. Riggs of the 15th Judicial District:

“BE IT RESOLVED that Thomas C. Cerullo of the 24th Judicial District be elected the House of Delegates’ representative on the Budget Committee for a two-year term to commence on July 1, 2013 and end on June 30, 2015.

Mr. Cerullo was elected by acclamation.

X. Resolutions
Member Resolution

1. Resolution from members Ariel Campos (15th JDC) and Warren A. Perrin (Francophone Section) proposing the establishment of the John Ashby Hernandez, III Memorial Award for Francophone Leadership, to be given annually to the person whose activities in the prior year most contributed to the perpetuation and enhancement of the Francophone legal tradition.

Ariel Campos of the 15th Judicial District made the following motion:

“BE IT RESOLVED that the resolution from the Francophone Section proposing

establishment of the John Ashy Hernandez III Memorial Award for Francophone Leadership be adopted.”

Warren A. Perrin of the Francophone Section seconded the motion and reviewed Mr. Hernandez’s many accomplishments and contributions in furtherance of the Francophone tradition in Louisiana, and the establishment and ongoing success of the LSBA Francophone Section.

The motion was unanimously approved.

Louisiana Board of Legal Specialization (LBS) Resolutions

2. Resolution from the Louisiana Board of Legal Specialization proposing amendment to its Rules and Regulations to impose penalties for the late payment of its annual dues.

The following motion was made by Robert A. Kutcher of the 24th Judicial District and seconded by Jeffrey A. Riggs of the 15th Judicial District.

“BE IT RESOLVED that the resolution from the Louisiana Board of Legal Specialization to amend its Rules and Regulations to impose penalties for the late payment of annual LBS dues be adopted.”

LBS Chair Kendrick J. Guidry spoke in favor of the resolution.

The motion was unanimously approved.

3. Resolution from the Louisiana Board of Legal Specialization proposing amendment to its Rules and Regulations to create a mechanism for an exemption from specialization CLE in the event of hardship related to illness, disability or other mitigating circumstance.

The following motion was made by Robert A. Kutcher of the 24th Judicial District and seconded by Jeffrey A. Riggs of the 15th Judicial District.

“BE IT RESOLVED that the resolution from the Louisiana Board of Legal Specialization to amend its Rules and Regulations to create a mechanism for an exemption from specialization CLE in the event of hardship related to illness, disability or other mitigating circumstance be adopted.”

LBS Chair Kendrick J. Guidry spoke in favor of the resolution.

The motion was unanimously approved.

XI. Other Business

Mr. Musser reported on the following

- a. The current LSBA runoff elections which began on January 14 and will end on February 18; and*
- b. The next House of Delegates Meeting scheduled for Thursday, June 6 at noon during the Summer School and Annual Meeting in Destin, Florida.*

Late Filed Resolution

At the request of Mr. Musser and upon motion by Jeffrey A. Riggs and second by Tricia R. Pierre, both of the 15th Judicial District, the House voted to suspend its Rules of Procedure to consider this resolution:

Resolution from the Young Lawyers Division proposing to amend the Bylaws of the Louisiana State Bar Association to change the law student membership from \$40 per year to a one-time fee of \$40; and to further amend the Bylaws to provide for electronic distribution only of the Louisiana Bar Journal to law student members.

Val P. Exnicios of Orleans made the following motion, which was duly seconded:

“BE IT RESOLVED that the resolution from the Young Lawyers Division to amend the LSBA Bylaws to change law student membership dues from \$40 per year to a one-time fee of \$40, and to further amend those Bylaws to provide for electronic distribution only of the Louisiana Bar Journal to law student members, be adopted.”

Young Lawyers Division Chair Larry J. Centola spoke in favor of the resolution.

The motion was unanimously approved.

XII. Adjourn

There being no further business, the meeting was adjourned at 10:15 a.m.

Respectfully Submitted:



Edward J. Walters, Jr.
Secretary

**APPROVED BY HOUSE OF DELEGATES
JUNE 6, 2013
DESTIN, FL**