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BOARD OF GOVERNORS

11 a.m. ☞ Friday, June 6, 2014

Destin, Florida

*** MINUTES ***

President Joseph L. Shea, Jr. called to order the meeting of the Board of Governors of the Louisiana State Bar Association at 11 a.m., Friday, June 6, 2014 in Destin, Florida. Business was conducted in accordance with the agenda below.

Agenda Item 1. Roll Call

Present were:

President, Joseph L. Shea, Jr.
President-Elect, Mark A. Cunningham
Secretary, Barry H. Grodsky
Treasurer, Robert A. Kutcher
Immediate Past President, Richard K. Leefe
Chair, Young Lawyers Section, J. Lee Hoffoss, Jr.
First Board District Representative, David W. Leefe
First Board District Representative, Patrick A. Talley, Jr.
Second Board District Representative, John E. McAuliffe, Jr.
Third Board District Representative, Blake R. David
Fourth Board District Representative, Shayna L. Sonnier
Fifth Board District Representative, Michael E. Holoway
Fifth Board District Representative, C. Kevin Hayes
Seventh Board District Representative, Thomas M. Hayes III
Eighth Board District Representative, Karelia R. Stewart
At-Large Member, Mickey S. deLaup
At-Large Member, John M. Frazier
From the Faculty of LSU Law Center, John M. Church
From the Louisiana State Law Institute, Marguerite L. Adams
House of Delegates Committee on Liaison Chair, Alaina Mire
House of Delegates Committee on Liaison Member, Sandra K. Cosby
House of Delegates Committee on Liaison Member, S. Jacob Braud

Also present were:

**Louisiana State Bar Association
Board of Governors
June 6, 2014 Minutes
Page 2**

Executive Director, Loretta Larsen, CAE
Associate Executive Director, Cheri Cotogno Grodsky
Access to Justice Director, Monte Mollere
Communications Director, Kelly Wells Ponder
Information Technology Director, Tony LaVerde
Director of Member Outreach and Diversity, Tricia R. Pierre
Executive Assistant, Mindi Hunter
Lobbyist, Larry L. Murray

Absent were:

Sixth Board District Representative, Robert G. Levy
At-Large Member, Julie H. Ferris
From the Faculty of Tulane University Law School, Ronald J. Scalise

Agenda Item 2. Consent Calendar

Upon motion by Mr. Kutcher and second by Mr. Holoway, the following items on the Consent Calendar were approved without discussion or debate:

a. Bank Resolutions

Resolutions have been prepared covering all accounts of the Association. These require that all checks be signed (either electronically or physically) by Treasurer Robert A. Kutcher or Assistant Treasurer Loretta Larsen, and countersigned by one of the following persons: Joseph L. Shea, Jr., Mark A. Cunningham, Barry H. Grodsky, David W. Leefe, Patrick A. Talley, John E. McAuliffe, Jr. and Mickey S. deLaup.

b. Presidential Authority

Under the Charter, the President, with the consent of the Board of Governors, may make committee appointments and create committees with acquiescence of Executive Committee and Board of Governors. The Board is requested to grant Mr. Shea the authority to make such appointments as required during his term of office and also to create such special committees and/or task forces he deems necessary and proper with acquiescence of Executive Committee and Board of Governors.

c. Louisiana Center for Law and Civic Education

Periodic report from the LCLCE, as required by the April 2010 agreement

Agenda Item 3. Legislative Positions 2014 – Joseph L. Shea, Jr. and Larry L. Murray

**Louisiana State Bar Association
Board of Governors
June 6, 2014 Minutes
Page 3**

Mr. Shea deferred to Mr. Murray who reviewed the final disposition of all bills on which the LSBA took a position during the 2014 Regular Session.

Agenda Item 4. Insurance Committee Reports – Loretta Larsen

Ms. Larsen referred members to the written report on the Legal Malpractice Insurance Committee and advised that there were no recommendations from either that committee or the Group Insurance Committee. She further advised that there was no longer a group health insurance plan, as New York Life exited the marketplace as a result of the Affordable Care Act. She reported that the 2013/2014 Board had approved Gilsbar's Pro-op Exchange Program, which provided a number of enhanced benefits to those members and firms which continued to purchase health insurance through Gilsbar.

Agenda Item 5. Lawyers Assistance Program – Joseph L. Shea, Jr.

Mr. Shea gave the Board some history on the relationship between LSBA and LAP, as well as the Bar's funding of that program. He advised that the 2013/2014 Board had authorized an additional \$100,000 in LAP funding to be allocated from FY 2013/2014 funds, provided that LAP was amenable to financial and administrative oversight by the LSBA, while ensuring the ongoing confidentiality of information regarding those assisted by LAP.

Agenda Item 6. Regional Panels – Joseph L. Shea, Jr.

Mr. Shea advised the Board of his plan to appoint Regional Panels across the state, with Board district representatives chairing those panels. He asked Board members to assist him in identifying volunteers to serve on the panels and referred members to his memorandum for additional information.

Agenda Item 7. Member Outreach and Diversity – Tricia R. Pierre

Members were referred to Ms. Pierre's comprehensive written report.

Agenda Item 8. Consideration of Any Item(s) Removed from Consent Calendar – Joseph L. Shea, Jr.

There were no items removed from the consent calendar.

Agenda Item 9. House of Delegates – Joseph L. Shea, Jr.

Mr. Shea advised the Board of its responsibility to review and ratify action of the House of

**Louisiana State Bar Association
Board of Governors
June 6, 2014 Minutes
Page 4**

Delegates. Mr. Cunningham moved for approval of all of the actions of the House, which motion was seconded by Mr. Grodsky.

There was a lengthy discussion on the House of Delegates' approval of the resolution which would support legislation reducing crimes involving the classification of simple possession of marijuana and its chemical derivatives from a felony to a misdemeanor, with appropriate incremental penalties for habitual offenders.

The question was called and the Board voted to approve the action of the House, with Mr. McAuliffe abstaining.

Agenda Item 10. Appointment of Louisiana Client Assistance Foundation Board – Cheri Cotogno Grodsky

After a brief review by Ms. Grodsky and upon motion by Mr. Grodsky and second by Mr. David, the Board unanimously approved the following LCAF Board of Director appointments for 2014/2015: President, Frank X. Neuner, Jr.; Vice President, Mark A. Cunningham; Secretary-Treasurer, Charles B. Plattsmier; Trustees – Drew A. Ranier, Joseph L. Shea, Jr., David W. Leefe, Mary Ann Wegmann, A. Anderson Hartiens (lay member), Major Reginald R. Brown, Sr. (lay member) and Lauren A. McHugh, Supreme Court Liaison.

Agenda Item 11. Appointment of Louisiana Center for Law and Civic Education Board – Mark A. Cunningham

After a brief review and motion by Mr. Cunningham and second by Mr. Grodsky, the Board unanimously approved the appointment of the LCLCE Board.

Agenda Item 12. Community Action Committee – Kelly Wells Ponder

Ms. Ponder reviewed the proposal, and advised that this project could be implemented by local bars across the state. Upon motion by Mr. Kutcher and second by Mr. Grodsky, the Board unanimously approved the Community Action Committee's recommendation to partner with 'Ween Dream.

Agenda Item 13. Election Procedures 2014/2015 – Loretta Larsen

Ms. Larsen reviewed the proposed election procedures and schedule, advising that elections would continue to be conducted electronically only. Upon motion by Mr. Grodsky and second by Mr. Hoffoss, the Board unanimously approved the election procedures as proposed.

Agenda Item 14. Board of Governors Statements Confirming LSBA Policies – Joseph L.

Shea, Jr.

Mr. Shea reviewed the Antitrust Avoidance, Confidentiality and Conflict of Interest policy statements. Upon motion by Mr. Kutcher and second by Mr. Church, the Board unanimously approved the statements and they were circulated for signature by each of the members present. Mr. Shea asked staff to secure the signatures of those members not at the meeting.

Agenda Item 15. Consideration of 2014/2015 Budget – Robert A. Kutcher

Mr. Kutcher reviewed the proposed budget and advised the Board of the process used to develop the budget. Upon motion by Mr. Leefe and second by Mr. Grodsky, the Board unanimously approved the budget as recommended by the Budget Committee.

Agenda Item 16. Budget Committee – Joseph L. Shea, Jr.

Mr. Shea advised that the Board would need to elect a representative to serve on the Budget Committee for 2014-2016. Upon motion by Mr. Leefe and second by Mr. Grodsky, Ms. deLaup was elected by acclamation.

Agenda Item 17. Louisiana Board of Legal Specialization – Loretta Larsen

Ms. Larsen reviewed the proposed appointments with the Board. Upon motion by Mr. David and second by Mr. Cunningham, the Board unanimously approved recommending to the Supreme Court that the following individuals be appointed to serve as indicated:

- Appointment of Lisa L. Boudreaux to succeed Vincent A. Saffiotti, who has served six consecutive years and is not eligible for reappointment
- Reappointment of Ronald J. Scalise, Jr., who has served one three-year term and is eligible for reappointment; and
- Reappointment of Thomas Rockwell Willson, who has served one three-year term and is eligible for reappointment.

Agenda Item 18. Report of the President – Joseph L. Shea, Jr.

a. Leadership LSBA 2014/2015

Mr. Shea advised that the deadline for nomination of individuals to the class was Friday, June 13, and encouraged Board members to nominate young lawyers.

b. Committee Appointments

Mr. Shea advised that he was in the process of appointing committees and that this would be completed prior to the end of the month.

**Louisiana State Bar Association
Board of Governors
June 6, 2014 Minutes
Page 6**

c. Committee of the Bars

Mr. Shea reported that he would be creating a Committee of the Bars, which would be chaired by John Frazier of Shreveport. Mr. Shea further advised that the committee would meet primarily via videoconference or phone, and that any in-person meetings would be held in Shreveport.

d. 2014/2015 Board of Governors Meeting Calendar

Mr. Shea referred members to the meeting calendar in their materials.

e. 2014 Midyear Meeting – Thursday, January 15 through Saturday, January 17 at the Hotel InterContinental New Orleans.

Mr. Shea advised that the Midyear Meeting would be held in New Orleans and encouraged all to mark their calendars.

f. 2015 Annual Meeting/Joint Summer School with Louisiana Judicial College at Sandestin Golf & Beach Resort – Sunday, June 7 through Friday, June 12

Mr. Shea announced the dates for the 2015 meeting at Sandestin and encouraged all to mark their calendars and plan to attend. He also encouraged members to share with him any suggestions for enhancing the meeting.

g. Other Matters

Mr. Shea asked Board members to send him any suggestions as to how the LSBA might better serve both its members and the public.

Agenda Item 19. Report of the President-Elect – Mark A. Cunningham

Mr. Cunningham waived his report.

Agenda Item 20. Report of the Secretary – Barry H. Grodsky

Mr. Grodsky announced that he had appointed Ms. Mire to the *Louisiana Bar Journal* Editorial Board. He also asked Board members to consider serving as mentors.

Agenda Item 21. Report of the Treasurer – Robert A. Kutcher

Mr. Kutcher waived his report

Agenda Item 22. Report of the Immediate Past President – Richard K. Leefe

Mr. Leefe waived his report.

Agenda Item 23. Report of the Young Lawyers Division Chair – J. Lee Hoffoss, Jr.

Mr. Hoffoss advised that the YLD plans to initiate a program to provide assistance to veterans, and that the YLD is currently researching what is being done by their counterparts in other states. He further advised that the Wills for Heroes program had another successful year and will be expanded into more rural areas of the state. Finally, he reported that the YLD will focus on member outreach and will work toward increased committee participation.

Agenda Item 24. Report of the Executive Director – Loretta Larsen

Ms. Larsen advised that staff would be working to close out FY 2013/2014, and urged members to submit any outstanding reimbursements from the May Orientation. She also thanked the Board for their compliments on the Annual Meeting/Summer School, and noted that the success of the program was attributable to the efforts of the entire LSBA staff.

Agenda Item 25. Report of the Associate Executive Director – Cheri Cotogno Grodsky

Ms. Grodsky referred members to her written report.

Adjourn

There being no further business and upon motion by Mr. Kutcher and second by Mr. David, the meeting was adjourned at 12:50 pm.

Respectfully Submitted:



Barry H. Grodsky
Secretary