# HOUSE OF DELEGATES <br> 9 a.m. - Saturday, January 20, 2018 Renaissance Baton Rouge Hotel 

MINUTES

President Dona K. Renegar called the meeting to order at 9:08 a.m., on Saturday, January 20, 2018. Business was conducted in accordance with the agenda below.

Prior to convening the House of Delegates meeting, the following awards were presented:

- LSBA Citizen Lawyer Awards - presented by President Dona Kay Renegar
o Hon. Scott U. Schlegel
o Meredith S. Grabill
o Benjamin W. Kadden
o Walter J. Leger, Jr.
o Pamela A. Stewart
o Adrienne D. White
- LCLCE Judge Benjamin Jones Judges in the Classroom Award - presented by LCLCE President Lawrence J. Centola III
o Hon. Sheva M. Sims
President Renegar also recognized members of the Leadership LSBA 2017-2018 Class:
- Brittany O. Rosenbloom, Co-Chair
- Micah C. Zeno, Co-Chair
- Bethany A. Blackson
- Kristian B. Dobard
- Shanerika M. Flemings
- Gerald J. Hampton, Jr.
- R. Gary Higgins, Jr.
- Kathleen M. Legendre
- J. Reed Poole, Jr.
- Anna Brown Priestly
- Alexander L. Reed
- Christopher J. Sellers, Jr.
- Elizabeth Fontenot Shea
- Todd C. Taranto
- Arielle L. Young
- Betty Ann Maury
I. Certification of Quorum by the Secretary

Secretary John E. McAuliffe, Jr. certified 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

There were no deceased members.

## General Session

III. Reports of Standing Committees of the House * There were no oral reports from Standing Committees of the House.
IV. Reports of Officers, Board of Governors, Standing Committees and Sections of the Louisiana State Bar Association *

1. Dona K. Renegar, President
2. Barry H. Grodsky, President-Elect
3. H. Minor Pipes III, Treasurer
4. John E. McAuliffe, Jr., Secretary

All officers waived their reports. Committee reports were emailed in advance of the House meeting.
V. Reports of Special Committees of the Louisiana State Bar Association* Committee reports were emailed in advance of the House meeting.
VI. Other Reports*

There were no other reports.

## Activities of the House of Delegates

VII. Old Business

There was no old business to come before the House.
VIII. Approval of Minutes

Consideration of approval of the Minutes of the June 8, 2017 meeting of the House of Delegates, held in Destin, Florida.
Upon motion by Robert Kutcher and second by Sandra Cosby, both of the $24^{\text {th }}$ Judicial District, the House unanimously approved the minutes 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 2018 Annual Meeting and end at the
conclusion of the 2021 Annual Meeting. This member shall be elected from House of Delegates members representing the $20^{\text {th }}$ through $42^{\text {nd }}$ Judicial Districts.
After being nominated by Mr. Kutcher and seconded by Sandra Cosby, Shayna Beevers Morvant of the $24^{\text {th }}$ Judicial District was elected by acclamation.
2. Election, from the three Liaison Committee members, of a Chair of the House of Delegates Liaison Committee for 2018-2019, whose term will commence at the conclusion of the 2018 Annual Meeting. The Chair of the Liaison Committee is a voting member of the Board of Governors.
President Renegar announced that the three members of the committee were Sandra Cosby of the $24^{\text {th }}$ Judicial District, Jeffrey Riggs of the $15^{\text {th }}$ Judicial District and Shayna Beevers Morvant of the $24^{\text {th }}$ Judicial District. Upon motion and second, Ms. Cosby was elected by acclamation.

## X. Resolutions

## Committee Resolution

1. Resolution from the Committee on the Profession to amend the Code of Professionalism.
Committee on the Profession Co-Chair Barry H. Grodsky introduced the resolution. Mr. Kutcher moved its adoption, which motion was seconded by Jack K. Whitehead, Jr. of the $19^{\text {th }}$ Judicial District. Michael E. Holoway, $22^{\text {nd }}$ Judicial District and Committee on the Profession Co-Chair, spoke in favor of the resolution, after which the House unanimously approved the resolution.

## Section Resolution

2. Resolution from the Labor Relations and Employment Law Section to amend the Section’s Bylaws.
Section Chair Kathryn M. Knight introduced the resolution and moved its adoption, which motion was seconded by Michael W. McKay of the $19^{\text {th }}$ Judicial District and unanimously approved by the House.

## Louisiana Board of Legal Specialization Resolution

3. Resolution from the Louisiana Board of Legal Specialization to amend Tax Law Standards.
Louisiana Board of Legal Specialization Chair Melanie C. Lockett introduced the resolution. Mr. McKay moved its approval, which motion was seconded by Mr. Kutcher and approved by the House.

## Member Resolutions

4. Resolution from Francis Barry and Glenn Adams (both of the $41^{\text {st }}$ Judicial District) requesting that the House of Delegates:

- suspend implementation of the current standards for specialization in Employment Law; and
- request that the Louisiana Board of Legal Specialization conduct further study on the Employment Law Standards.
Francis J. Barry, Jr. of the $41^{\text {st }}$ Judicial District introduced the resolution and moved its adoption. Glenn Adams seconded.

The following spoke in support of the resolution:

- Mark N. Mallery, 41 ${ }^{\text {st }}$ Judicial District
- Glenn B. Adams, $41^{\text {st }}$ Judicial District
- Jeffrey A. Riggs, $15^{\text {th }}$ Judicial District

The following spoke against the resolution:

- Melanie C. Lockett, Chair, Louisiana Board of Legal Specialization
- Steven J. Farber, Government and Public Law Section Chair
- William Corbett, Committee to Review Labor and Employment Law Specialization Chair
- Jack K. Whitehead, Jr., $19^{\text {th }}$ Judicial District

Mr. Barry made closing remarks
After being unable to determine the outcome from a voice vote, President Renegar requested a vote by show of hands, by which the House approved the resolution by a vote of 102 to 66.
5. Resolution from Francis Barry and Glenn Adams (both of the $41^{\text {st }}$ Judicial District) requesting that the House of Delegates:

- suspend implementation of the current standards for specialization in Labor Law; and
- request that the Louisiana Board of Legal Specialization conduct further study on the Labor Law Standards.
Mr. Adams introduced the resolution and moved its adoption, noting it was a companion to Resolution 4. Upon motion and second, the House voted unanimously to close debate. The House approved the resolution by voice vote

6. Resolution from Dan M. Boudreaux to amend the LSBA Bylaws to create a dues waiver procedure for those lawyers who complete at least 20 hours of approved pro bono legal services per fiscal year of the LSBA.
In Mr. Boudreaux's absence, Ms. Morvant moved to table the resolution, which motion was seconded by Ms. Cosby and unanimously approved by the House.
7. Resolution from Ben E. Clayton (22 ${ }^{\text {nd }}$ Judicial District) for the LSBA to establish and maintain a section dedicated to the study, evaluation, consideration and other aspects of both the United States and Louisiana constitutions. Mr. Clayton withdrew his resolution.
8. Resolution from R. Bradley Lewis ( $22^{\text {nd }}$ Judicial District) that the LSBA:

- supports the First Amendment of the U.S. Constitution and Article I of the Louisiana Constitution, and freedom of speech and the freedom of religion;
- urges the repeal of all laws and municipal ordinances, regulations, rules, executive orders and other practices that prohibit or impair the freedom of speech or the freedom of religion;
- urges the repeal of all laws that discriminate against persons because of their faith, their free exercise thereof, or because of their expression of their religious or political views;
- urges the adoption of laws which protect freedom of speech and freedom of religion; and
- sends a copy of the resolution to the Louisiana Governor, the Speaker of the Louisiana House of Representatives, the President of the Louisiana Senate, and to the Louisiana Municipal Association.
Mr. Lewis Introduced the resolution and moved for adoption, which motion was duly seconded.

Ms. Renegar recognized Bar Governance Committee Chair Darrel J. Papillion, who advised that the committee had met and reached the following conclusions:

- The LSBA should not be on record in support of only one aspect of the Constitution; and
- The LSBA should not be taking position on social, political or religious issues.

Minority Involvement Section Chair Damarcus Gordon and Civil Law \& Litigation Section Chair Lynn Luker spoke against the resolution, and Ben E. Clayton of the $22^{\text {nd }}$ Judicial District spoke in support of the resolution

Mr. Lewis gave closing comments, after which the resolution failed by a voice vote.

## XI. Other Business

Consideration of any other business to come before the House of Delegates.
President Renegar recognized Evan J. Bergeron of the 41 ${ }^{\text {st }}$ Judicial District, who had circulated a resolution "To Express the Sentiment of the House and Urge and Request the Louisiana State Bar Association Board of Governors to Select an Alternative Location for the Annual Louisiana State Bar Convention and Judicial Summer School outside the State of Florida based on that State's Governor's recent statements against the State of Louisiana and forthcoming efforts to harm Louisiana's economic interests," and who had advised the House of his intent to request a suspension of the rules in order to consider the resolution.

Mr. Bergeron announced that he had spoken with President Renegar in advance of the meeting and decided not to ask for a suspension of the rules, but to instead attempt to work within mechanisms available to address his concerns.

President Renegar thanked House members for their service and for their commitment to the LSBA.

There being no further business, the meeting was adjourned at 10:32 a.m.

Respectfully Submitted:


John E. McAuliffe, Jr., Secretary

APPROVED BY HOUSE OF DELEGATES
JUNE 7, 2018
DESTIN, FLORIDA

## ADDENDUM <br> 2017-2018 HOUSE OF DELEGATES <br> ATTENDANCE • 2018 MIDYEAR MEETING

\(\left.\begin{array}{ll}FIRST JUDICIAL DISTRICT (14 seats) Parish of Caddo <br>

Louis R. Avallone\end{array}\right]\)| Claude W. Bookter, Jr. |
| :--- |
| JRESENT |
|  |
| Joseph A. Cannatella, Jr. |
| James L. Fortson, Jr. |

SECOND JUDICIAL DISTRICT (3 seats) Parishes of Bienville, Claiborne \& Jackson Tammy G. Jump<br>PRESENT Yumeaka Robinson Washington

THIRD JUDICIAL DISTRICT (3 seats) Parishes of Lincoln \& Union
Addison K. Goff IV
Shelley Ann Goff
PRESENT Tyler G. Storms
FOURTH JUDICIAL DISTRICT (11 seats) Parishes of Morehouse \& Ouachita
PRESENT Martin Shane Craighead
John Albert Ellis
PRESENT Lakeisha J. Johnson
PRESENT Ramsey L. Ogg
Lavalle B. Salomon
PRESENT Arthur L. Stewart
PRESENT William Michael Street
PRESENT Peggy J. Sullivan
David J. Summersgill, Jr.
Jessica Welch Williams
PRESENT Thomas G. Zentner, Jr.
FIFTH JUDICIAL DISTRICT (3 seats) Parishes of Franklin, Richland, \& West Carroll PRESENT John Clay Hamilton

SIXTH JUDICIAL DISTRICT (2 seats) Parishes of East Carroll, Madison \& Tensas PRESENT George F. Fox, Jr.

| SEVENTH | JUDICIAL DISTRICT (2 seats) Parishes of Catahoula \& Concordia |
| :--- | :--- |
| PRESENT | Joseph A. Boothe |
| PRESENT | Ann S. Siddall |
|  |  |
| EIGHTH JUDICIAL DISTRICT (1 seat) Parish of Winn |  |
| PRESENT | Justin Keith Gates |


| PRESENT | Katherine L. Hurst |
| :---: | :---: |
| PRESENT | Andrew B. Mims |
| PRESENT | Donovan J. O’Pry II |
| PRESENT | Joseph R. Oelkers III |
| PRESENT | Jeffrey A. Riggs |
| PRESENT | Michael D. Skinner |
| PRESENT | Dwazendra Smith |
| PRESENT | Juliette B. Wade |
| SIXTEENTH JUDICIAL DISTRICT (8 seats) Parishes of Iberia, St. Martin \& St. Mary |  |
| PRESENT | Adolph B. Curet III |
| PRESENT | Eric P. Duplantis |
| PRESENT | Pamela A. Lemoins |
| PRESENT | Marsha McNulty |
| PRESENT | Andrew Reed |
| PRESENT | Maggie T. Simar |
| PRESENT | Anne G. Stevens |
| PRESENT | Dennis R. Stevens |
| SEVENTEENTH JUDICIAL DISTRICT (5 seats) Parish of Lafourche |  |
| PRESENT | William N. Abel |
| PRESENT | Daniel A. Cavell |
| PRESENT | Marla Mitchell |
| PRESENT | Robert M. Pugh |
| PRESENT | Nicholas J. Zeringue |
| EIGHTEENTH JUDICIAL DISTRICT (4 seats) Parishes of Iberville, Pointe Coupee \& West Baton Rouge |  |
| PRESENT | J. Lane Ewing, Jr. |
| PRESENT | Stephen Philibert Jewell |
| PRESENT | Deidre Deculus Robert |
| PRESENT | David M. Tubbs |
| NINETEENTH JUDICIAL DISTRICT (21 seats) Parish of East Baton Rouge |  |
| PRESENT | B. Scott Andrews |
| PRESENT | Kelly E. Balfour |
| PRESENT | Jesse H. Bankston, Jr. |
| PRESENT | Valerie B. Bargas |
| PRESENT | James E. Boren |
| PRESENT | Dana B. Brown BY PROXY TO Parker DeAgno |
| PRESENT | Donald J. Cazayoux, Jr. |
| PRESENT | Douglas J. Cochran |
| PRESENT | Jean M. Faria BY PROXY TO Bethany Blackson |
| PRESENT | Frank A. Fertitta |
| PRESENT | C. Frank Holthaus |
| PRESENT | Jay M. Jalenak, Jr. |


| PRESENT <br> PRESENT | Michael W. McKay |
| :---: | :---: |
|  | Rusty M. Messer |
|  | Adrian G. Nadeau |
| PRESENT | Julie Baxter Payer |
| PRESENT | Mary E. Roper |
| PRESENT | Amanda S. Stout |
| PRESENT | David Abboud Thomas |
| PRESENT | Mary Ann M. White |
| PRESENT | Jack K. Whitehead, Jr. |
| TWENTIETH JUDICIAL DISTRICT (2 seats) Parishes of East Feliciana \& West Feliciana |  |
| PRESENT | Samuel Christopher D'Aquilla |
| PRESENT | Stewart B. Hughes |
| TWENTY-FIRST JUDICIAL DISTRICT (9 seats) Parishes of Livingston, St. Helena \& Tangipahoa |  |
| PRESENT | Mary E. Heck Barrios |
| PRESENT | Erik L. Burns |
| PRESENT | Anthony Todd Caruso |
| PRESENT | Steven J. Farber |
| PRESENT | Colt Justin Fore |
| PRESENT | Ivy Landry Graham |
| PRESENT | D. Blayne Honeycutt |
|  | Amanda L. Huff Brown |
| PRESENT | Robert W. Morgan |
| TWENTY-SECOND JUDICIAL DISTRICT (12 seats) Parishes of St. Tammany \& Washington |  |
| PRESENT | Clayton J. Borne IV |
| PRESENT | Ben E. Clayton |
| PRESENT | Debra Kay Henkels |
| PRESENT | Waldon M. Hingle |
| PRESENT | Michael E. Holoway |
| PRESENT | Robert C. Lehman |
| PRESENT | R. Bradley Lewis |
|  | L. Jay McCreary |
| PRESENT | Sean M. Morrison |
| PRESENT | Patrice W. Oppenheim |
| PRESENT | Todd C. Taranto |
| TWENTY-THIRD JUDICIAL DISTRICT (5 seats) Parishes of Ascension, Assumption \& St. James |  |
| PRESENT | Christopher J. Bridges |
|  | Lana O. Chaney |
| PRESENT | Michael J. Poirrier |

Timothy E. Pujol

| TWENTY-FOURTH JUDICIAL DISTRICT (19 seats) Parish of Jefferson |  |
| :---: | :---: |
| PRESENT | Simone B. Boustead |
| PRESENT | Thomas C. Cerullo |
| PRESENT | David L. Colvin |
| PRESENT | Sandra K. Cosby |
| PRESENT | S. Guy deLaup |
| PRESENT | Michael R. Delesdernier |
| PRESENT | Edwin R. Fleischmann, Jr. |
| PRESENT | Paul C. Fleming, Jr. |
| PRESENT | Michael R. Gelder |
| PRESENT | Christy M. Howley BY PROXY TO Robert A. Kutcher |
| PRESENT | Adrian F. LaPeyronnie III |
| PRESENT | Richard K. Leefe |
| PRESENT | Betty Ann Maury |
| PRESENT | Scott W. McQuaig |
| PRESENT | Shayna Beevers Morvant |
| PRESENT | Bryan A. Pfleeger |
| PRESENT | Roy A. Raspanti |
| PRESENT | George B. Recile |
| PRESENT | Tina Louise Suggs |
| TWENTY-FIFTH JUDICIAL DISTRICT (2 seats) Parish of Plaquemine |  |
| PRESENT | S. Jacob Braud |
| PRESENT | Dominick Scandurro, Jr. |
| TWENTY-SIXTH JUDICIAL DISTRICT (6 seats) Parishes of Bossier \& Webster |  |
| PRESENT | John Zachary Blanchard, Jr. |
| PRESENT | Amanda J. Hulett |
|  | Patrick R. Jackson |
| PRESENT | Ross E. Shacklette |
|  | John B. Slattery, Jr. |
| PRESENT | David L. White |
| TWENTY-SEVENTH JUDICIAL DISTRICT (4 seats) Parish of St. Landry |  |
| PRESENT | Scherri N. Guidry |
| PRESENT | Francis A. Olivier III |
|  | Ogden L. Pitre |
| PRESENT | Randy Wagley |
| TWENTY-EIGHTH JUDICIAL DISTRICT (1 seat) Parish of LaSalle |  |
| Kamra S. Craig |  |
| TWENTY-NINTH JUDICIAL DISTRICT (3 seats) Parish of St. Charles |  |
| PRESENT | Steven F. Griffith, Sr. |

$\left.\begin{array}{ll}\text { PRESENT } & \begin{array}{l}\text { Don Paul Landry } \\ \text { Robert L. Raymond }\end{array} \\ & \\ \text { THIRTIETH JUDICIAL DISTRICT (3 seats) Parish of Vernon } \\ \text { Wesley R. Bailey }\end{array}\right]$

| PRESENT | Glenn B. Adams |
| :--- | :--- |
| PRESENT | Francis J. Barry, Jr. |
| PRESENT | Ashley L. Belleau |
| PRESENT | Alicia M. Bendana BY PROXY TO Barry H. Grodsky |
| PRESENT | Jack C. Benjamin, Jr. |
| PRESENT | Evan J. Bergeron |
| PRESENT | Thomas A. Casey, Jr. BY PROXY TO Micah Fincher |
| PRESENT | Lawrence J. Centola, III |
| PRESENT | Justin M. Chopin |
|  | Thomas Louis Colletta, Jr. |
|  | Richard B. Eason, II |
| PRESENT | Judith A. Gainsburgh |
| PRESENT | James C. Gulotta, Jr. |
| PRESENT | Philip K. Jones, Jr. |
| PRESENT | Tracy O. Joseph |
|  | Mark D. Latham |
| PRESENT | David W. Leefe |
| PRESENT | Chadwick J. Mollere |
| PRESENT | André J. Mouledoux BY PROXY TO Mark Mallery |
| PRESENT | Brian P. Quirk BY PROXY TO Christopher Sellers |
| PRESENT | Christopher K. Ralston |
| PRESENT | Louis Gravois Schott |
| PRESENT | Karen B. Sher |
| PRESENT | Ronald J. Sholes |
|  | John A. Stassi II |
| PRESENT | Patrick A. Talley, Jr. |
| PRESENT | Irving J. Warshauer |
| PRESENT | Craig R. Webb BY PROXY TO Micah Zeno |
|  | Edward D. Wegmann |
|  | Phillip A. Wittmann |
|  | Jay C. Zainey, Jr. |

## FORTY-SECOND JUDICIAL DISTRICT (2 seats) Parish of DeSoto

PRESENT Dick D. Knadler
PRESENT Adrienne D. White

## SECTION CHAIRS

Alyson V. Antoon, Animal Law
Richard J. Arsenault, Insurance, Tort, Worker’s Comp \& Admiralty Law Philip O. Bergeron, Administrative Law
Susan J. Burkenstock, Trusts, Estate, Probate \& Immovable Property Law
Val P. Exnicios, Class Action, Mass Torts \& Complex Litigation
Steven J. Farber, Government \& Public Law
Edgar D. Gankendorff, Art Entertainment \& Sports Law
Kathleen Gasparian, Immigration Law
PRESENT Demarcus Gordon, Minority Involvement

|  | Emily L. Gummer, Intellectual Property |
| :--- | :--- |
|  | Edward T. Hayes, International Law |
|  | Leland G. Horton, Mineral Law |
|  | Abid Husain, Solo \& Small Firm |
| PRESENT | Kathryn M. Knight, Labor \& Employment |
| PRESENT | Louis C. LaCour, Appellate |
| Lynn Luker, Civil Law \& Litigation |  |
|  | Tristan E. Manthey, Bankruptcy Law |
|  | Alexander M. McIntyre, Antitrust \& Trade Regulation |
|  | Mark A. Myers, Alternative Dispute Resolution |
|  | Warren A. Perrin, Francophone |
| John W. Redmann, Bench \& Bar |  |
|  | David L. Schroeder, Corporate \& Business BY PROXY TO Michael H. Piper |
|  | Ryan M. Seidemann, Environmental Law |
|  | H. Bruce Shreves, Fidelity, Surety \& Construction Law |
|  | Jacob S. Simpson, Health Law |
|  | David A. Szwak, Consumer Protection Law |
|  | Cherish D. van Mullem, Taxation |
| Michael S. Walsh, Criminal Law |  |
| PRESENT | Jeffrey S. Wittenbrink, Family Law |
|  | James Randy Young, Public Utility |

## RESOLUTION PROPOSED BY THE COMMITTEE ON THE PROFESSION OF THE LOUISIANA STATE BAR ASSOCIATION

WHEREAS, the LSBA Committee on the Profession ("Committee") is charged as part of its mission, "to support and encourage lawyers to exercise the highest standards of integrity, ethics and professionalism in their conduct; to examine systemic issues in the legal system arising out of the lawyer's relationship and duties to his/her clients, other lawyers, the courts, the judicial system and the public good; to provide the impetus and means to positively impact those relationships and duties; to improve access to the legal system; and to improve the quality of life and work/life balance for lawyers"; and

WHEREAS, the Committee is comprised of LSBA members from all geographic areas of the state and practice groups;

WHEREAS, the Committee believes the Code of Professionalism should be amended;
WHEREAS, Amendments have not been made to the Code of Professionalism since January 10, 1992;

WHEREAS, a Subcommittee of the Committee on the Profession was appointed to study and make recommended changes to the Committee on the Profession;

WHEREAS, the Subcommittee furnished its recommendations to the Committee and after careful consideration, the Committee on the Profession recommended adoption of the aspirational Code of Professionalism as proposed in Exhibit A (Attached).

NOW THEREFORE BE IT RESOLVED THAT the LSBA House of Delegates approve the recommendations of the Committee on the Profession as set forth above.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the LSBA House of Delegates respectfully recommends approval of same by the Louisiana Supreme Court.

Respectfully submitted, LSBA Committee on the Profession


Barry H. Grodsky, Co-Chair


Monique M. Edwards, Vice-Chair
Christy M. Howley, Vice-Chair
Honorable Carl J. Barber
Robert A. Barnett

Michael G. Calogero
Christine E. Cerniglia
Justin M. Chopin
Mary E. Colvin
Honorable John E. Conery
Sandra K. Cosby
Bobby J. Delise
Larry E. Demmons
Melanie C. Donahue
Stephen I. Dwyer
Sherman Gene Fendler
Chauntis Jenkins Floyd
Allison C. Foster
Cristen M. Freeman
Judith A. Gainsburgh
Lauren E. Godshall
Aaron J. Hurd
Katherine L. Hurst
Ingrid Janell James
Honorable Nannette Jolivette Brown
Robert A. Kutcher
Nahum D. Laventhal
Honorable Quintillis K. Lawrence
Richard K. Leefe
Robert C. Lehman
Honorable Ivan L.R. Lemelle
Lynn Luker
Michael W. Magner
Sonny Marks
Ryan M. McCabe
Claire McDaniel-Ojeh
Thomas M. McNamara
Andrew D. Mendez
Matthew A. Moeller
Timothy B. Moore
Adrian G. Nadeau
Claire A. Popovich
Brittany O. Rosenbloom
Degan Skylar Rosenbloom
Honorable Ronald J. Sholes (Ret.)
Meghan E. Smith
Anthony J. Staines
Honorable Raymond S. Steib, Jr.
James K. Sticker, III
Jonathan D. Stokes
Tina L. Suggs
David A. Szwak
Bradley J. Tate
Dylan T. Thriffiley
David P. Vicknair
Marsha M. Wade

Robert L. Walsh
Jade M. Wandell
Honorable Jewell E. Welch, Jr.
Sheila M. Wilkinson
Sharonda R. Williams
Alan J. Yacoubian
Honorable Jay C. Zainey

This $b^{\text {th }}$ day of Decem bx $\sqrt{2017 .}$

## THE CODE OF PROFESSIONALISM (PROPOSED)

The legal profession is a learned calling. As such, lawyers should act with honesty and integrity and be mindful of our responsibility to the judicial system, the public, our colleagues, and the rule of law. We, as lawyers, should always aspire to the highest ideals of our profession.

- My word is my bond.
- I will conduct myself with honesty, dignity, civility, courtesy and fairness and will not engage in any demeaning or derogatory actions or commentary toward others.
- I will not knowingly make statements of fact or law that are untrue or misleading and I will clearly identify for other counsel changes I have made in documents submitted to me.
- I will be punctual in my communication with clients, other counsel and the court. I will honor scheduled appearances and will cooperate with other counsel in all respects.
- I will allow counsel fair opportunity to respond and will grant reasonable requests for extensions of time.
- I will not abuse or misuse the law, its procedures or the participants in the judicial process.
- I will cooperate with counsel and the court to reduce the cost of litigation and will not file or oppose pleadings, conduct discovery or utilize any course of conduct for the purpose of undue delay or harassment of any other counsel or party.
- I will not engage in personal attacks on other counsel or the court or use the threat of sanctions as a litigation tactic.
- I will support my profession's efforts to enforce its disciplinary rules and will not make unfounded allegations of unethical conduct about other counsel.
- I will work to protect and improve the image of the legal profession in the eyes of the public.
- I will endeavor to improve our system of justice.
- I will use technology, including social media, responsibly. My words and actions, no matter how conveyed, should reflect the professionalism expected of me as a lawyer.
- I will seek opportunities to be of service to the bench and bar and assist those who cannot afford legal help.
- I will be supportive of new members in the profession.
- I will stay informed about changes in the law, communication, and technology which affect the practice of law.


## Code of Professionalism

My word is my bond. I will never intentionally mislead the court or other counsel. I will not knowingly make statements of fact or law that are untrue.
$\sim$ I will clearly identify for other counsel changes I have made in documents submitted to me.
$\sim$ I will conduct myself with dignity, civility, courtesy and a sense of fair play.
$\curvearrowright$ I will not abuse or misuse the law, its procedures or the participants in the judicial process.
$\sim$ I will consult with other counsel whenever scheduling procedures are required and will be cooperative in scheduling discovery, hearings, the testimony of witnesses and in the handling of the entire course of any legal matter.
$\sim$ I will not file or oppose pleadings, conduct discovery or utilize any course of conduct for the purpose of undue delay or harassment of any other counsel or party. I will allow counsel fair opportunity to respond and will grant reasonable requests for extensions of time.
$\curvearrowright$ I will not engage in personal attacks on other counsel or the court. I will support my profession's efforts to enforce its disciplinary rules and will not make unfounded allegations of unethical conduct about other cqunsel.
$\sim$ I will not use the threat of sanctions as a litigation tactic.
$\sim$ I will cooperate with counsel and the court to reduce the cost of litigation and will readily stipulate to all matters not in dispute.
$\curvearrowright$ I will be punctual in my communication with clients, other counsel and the court, and in honoring scheduled appearances.


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# RESOLUTION OF THE LABOR RELATIONS AND EMPLOYMENT LAW SECTION OF THE LOUISIANA STATE BAR ASSOCIATION 

WHEREAS, the current bylaws of the Labor Relations Law Section as approved by the House of Delegates do not reflect the rules under which the Section has been operating for several years, which such rules were approved by a majority of the Section members during the annual meeting that took place on June 5, 2014.

WHEREAS, at the annual meeting of the Section that took place on June 6, 2017, and after notice duly given, revisions to the bylaws were unanimously approved by those Section members present and voting, to effect the following changes: to reflect in Article I, Section 1 that the Section shall be known as the "Section of Labor Relations and Employment Law" and to reflect in Section 2 of that article a corresponding change in the statement of the Section's purpose; to modify Article IV, Qualification and Election of Officers, to shorten the time period required for eligible members to notify the Chairman of his or her intent to run for election office and/or counsel position (Section 1); to amend the minimum qualifications necessary to hold an office for a position on the council (Section 2); to expand the number of members from a particular law firm who may serve as officers or councilmembers (Section 3) in keeping with the goal of encouraging greater participation of the members of the Labor and Employment Section; and to provide that the annual Section meeting shall be held during the annual meeting of the Louisiana State Bar Association.

WHEREFORE, the Section requests that the LSBA House of Delegates approve the revised bylaws of the Labor and Employment Section. The revised bylaws, in both clean and redline format, are attached to this Resolution.

RESPECTFULLY SUBMITTED this 11th day of September, 2017, by the Louisiana State Bar Association, Section of Labor Relations and Employment Law through its undersigned chairman, Kathryn M. Knight.
/s/ Kathryn M. Knight
Kathryn M. Knight
Chairman, LSBA Section of Labor
Relations and Employment Law

APPROVED<br>HOUSE OF DELEGATES \& BOARD OF GOVERNORS<br>JANUARY 20, 2018<br>BATON ROUGE, LA

## LOUISIANA STATE BAR ASSOCIATION

## BY-LAWS OF THE SECTION OF LABOR RELATIONS AND EMPLOYMENT LAW

## ARTICLE I.

NAME AND PURPOSE

Section 1. Name. This Section shall be known as the Section of Labor Relations and Employment Law.

Section 2. Purpose. The purpose of this Section shall be: (1) to encourage and foster discussions and studies and the dissemination of information pertaining to the statutes and jurisprudence relating to labor relations and employment law; (2) to provide opportunities for continuing education of the practicing attorney with regard to current developments in this field; (3) to study possible improvements in the statues and jurisprudence in this field and make recommendations of changes to appropriate committees and sections within the Louisiana State Bar Association; and (4) to cooperate with the Section of Labor and Employment Law of the American Bar Association whenever possible and not otherwise inconsistent with these By-Laws.

## ARTICLE II.

## MEMBERSHIP AND DUES

Section 1. Membership. There shall be two classes of members of the Section, namely, Active and Associate, as follows:
A. Active Members. Any member of the Louisiana State Bar Association (the "Association") shall be enrolled as a member of this Section upon payment of Section dues to the Association. Persons so enrolled shall constitute the Active Members of this Section and shall have all privileges thereof.
B. Associate Members. Any person not a member of the Association, but who (1) has been admitted to the practice of law in any State of the United States, and is employed by a governmental agency, or (2) is employed as an instructor in any part of the field of labor relations (including, without limitation, employment practices, and occupational safety and health) by any institution of higher learning within the State of Louisiana, may become enrolled as an Associate Member of the Section upon payment of Section dues in the same amount required of Active Members of the Association. Subject to such restrictions as may be imposed by the Association, Associate Members shall have all of the privileges of membership in the Section that are accorded to Active Members, except that Associate Members may not serve as officers of the Section; Associate membership in the Section, however, shall not thereby confer any of the privileges of membership in the Association.

Section 2. Dues. Until changed by resolution of two-thirds of those present and voting at an Annual Meeting of the Section or by a majority of those voting at a special meeting of the general membership of the Section called for that purpose, dues shall be $\$ 15.00$ a year. Dues shall be payable upon the same fiscal year basis as Association dues. Any member whose annual dues shall be more than six months delinquent shall immediately cease to be a member. Only Section members in good standing, with dues paid currently, shall be eligible to vote, hold any Section
office, or receive Section publications. Members of the judiciary shall not be obligated to pay dues. The association shall advise the Officers of the Section of the names and addresses of all persons who become Active or Associate members of the Section; such advice shall constitute compliance with Article XI, Section 2 of the Articles of Incorporation of the Association.

## ARTICLE III.

## OFFICERS

Section 1. Officers and Successorship. The general officers of this Section shall be a Chairman, a Vice-Chairman and a Secretary-Treasurer. The Secretary-Treasurer shall be elected annually from the Active membership in the manner and subject to the limitations hereinbelow provided; subject to the exception provided below in Section 5 of this Article. The SecretaryTreasurer shall automatically succeed to the office of Vice-Chairman for the term following the one for which he was elected Secretary-Treasurer, and the Vice-Chairman for any particular term shall automatically succeed to the office of Chairman for the following year.

Section 2. Limitations upon Election. The Secretary-Treasurer elected for the term commencing in 1989 and every third term thereafter shall be a lawyer who usually represents unions or employees, the Secretary-Treasurer elected for the term commencing in 1990 shall be a lawyer employed by a governmental agency, and the Secretary-Treasurer elected for the term commencing in 1991 and every third term thereafter shall be a lawyer who usually represents employers, provided that any Active Member of the Section who does not practice law but instead is employed as an instructor in any part of the field of labor relations may, by written declaration filed with the Secretary-Treasurer of the Section, elect to affiliate himself with, and thereby make himself eligible for election to Section office as a representative of any of the aforesaid three segments of the labor relations bar.

Section 3. Term. The Chairman, Vice-Chairman and Secretary-Treasurer shall hold office for a term beginning at the close of one Annual Meeting of the Association and ending at the close of the next succeeding Annual Meeting of the Association, or until their successors shall have been elected and qualified.

Section 4. Council. In addition to the officers described in Section 1, three additional eligible members of the Section shall be elected to serve as at-large members of the governing Council. The at-large Council members shall hold office for a term beginning at the close of one Annual Meeting of the Association and ending at the close of the next succeeding Annual Meeting of the Association or until their successors shall have been elected and qualified. An at-large Council Member who has been elected to or served three consecutive terms or major portions thereof shall not be eligible for election to an additional consecutive term in such position but after not serving as an at-large Council member for a full term, such person shall again be eligible for election to such position.

Section 5. Vacancies. If a vacancy occurs in the office of Chairman, the ViceChairman shall continue to perform the duties of Vice-Chairman, but also shall automatically succeed to the office of Chairman for the unexpired term, and shall also serve as Chairman for the succeeding term. If a vacancy should occur in the office of Vice-Chairman, the SecretaryTreasurer shall continue to perform his duties as such, but also shall automatically succeed to the office of Vice-Chairman for the unexpired term, and shall also serve as Vice- Chairman for the succeeding term. If a vacancy should occur in the office of Secretary- Treasurer, the vacancy for
the unexpired term shall be filled by a person chosen by the remaining members of the Council from among persons who would have been eligible for election to the said office for that term; if the remaining members of the Council are unable to agree, then a special meeting of the Section will be held, upon at least ten days written notice to all members of the Section, on a Saturday morning in New Orleans; at said meeting, nominations shall be made from the floor; nominees must be Active Members from the same segment of the labor relations bar as the person whose vacancy is to be filled; the election shall be by a majority vote of those personally in attendance at the meeting (no proxies), and shall be by a raised hands ballot, unless otherwise ordered by a resolution duly adopted by the Section at the meeting at which the election is held. The SecretaryTreasurer selected to fill an unexpired term shall not automatically succeed to the office of ViceChairman; instead, an election must be held for a Vice-Chairman at the same time as the election for a Secretary-Treasurer, at the Annual Meeting, following the procedure set forth in Article IV hereinbelow. A vacancy in one of the at-large Council positions shall be filled for the unexpired term by a person chose by the remaining members of the Council. If said members are unable to agree, then a special meeting of the Section will be held, upon at least ten days' written notice to all members of the Section, on a Saturday morning in New Orleans; at said meeting, nominations shall be made from the floor; election shall be by a majority vote of those members personally in attendance at the meeting (no proxies) and shall be by raised hands ballot, unless otherwise ordered by a resolution duly adopted by the Section at the meeting.

## ARTICLE IV.

## QUALIFICATION AND ELECTION OF OFFICERS

Section 1. Notice of Intent to Run. Any member eligible to hold an office or Council position in the Section and who desires to be elected to said office or position at the election to be held at the Annual Meeting of the Section must notify the Chairman, in writing, no later than 30 days before the date on which the Annual Meeting is to be conducted of (1) his intention to run for election to office and/or Council position and (2) of the office or position for which he is interested in running. In order to ensure that this notification requirement is met, the Chairman shall, no later than 90 days before the Annual Meeting, in writing, remind all Section members of this requirement. The Chairman may also provide an appropriate form for use by members in meeting the notice requirement.

Section 2. Minimum Qualifications. To be eligible to hold any office for a position on the Council, a member must have participated in at least one annual or special business meeting of the Section or attended a Section sponsored seminar or program. To be eligible to hold an Officer position on the Council, a member must have participated in at least one annual or special business meeting of the Section. Challenges to the eligibility of any person seeking a position must be made in writing to the Chairman of the Section and must be received by the Chairman before the Annual Meeting at which the election is to be conducted. The Council will meet in executive session, and, after obtaining any necessary information from the interested parties, decide the nominee's eligibility before the regularly-scheduled annual business meeting. The decision of the Council shall be final.

Section 3. Multiple Representation From Same Firm. No member who practices in the same law firm as two Officers or Council members shall be eligible for election as either Officer or Council member while the two members serve in that capacity.

Section 4. Election. The election of all Officers and Council members shall be held during the Annual Meeting. The election shall be by a majority vote of those members of the

Section personally in attendance at the meeting (no proxies), and shall be by raised hands ballot, unless otherwise ordered by resolution duly adopted by the Section during the Annual Meeting at which the election is held.

## ARTICLE V.

## DUTIES OF OFFICERS

Section 1. Chairman. The Chairman shall preside at all meetings of the Section and of the Council. He shall formulate and present at each Annual Meeting of the Louisiana State Bar Association a report of the work of the Section for the Section year then ending. He shall act as ex-officio member of all Section committees. He shall direct the affairs of the Section between meetings of the Council. He shall act as Chairman of the Section's seminar committee and shall act as moderator of the annual seminar presented by the Section. He shall perform such other duties and acts as usually pertain to his office, and may delegate any duties to other officers, Council members, or members as he sees fit.

Section 2. Vice-Chairman. The Vice-Chair shall perform all duties as may be assigned to him by the Chairman. During the disability of the Chairman, or upon his refusal to act, the ViceChairman shall perform the duties of the Chairman for so much of the remainder of the Chairman's term as the disability or refusal to act may continue.

Section 3. Secretary-Treasurer. The Secretary-Treasurer shall be the custodian of all books, papers, documents and other property of the Section. He shall keep a true record of the proceedings of all meetings of the Section, of the Council, and of committees of the Section. Subject to the supervision of the Chairman, he shall prepare a summary or digest of the proceedings of the Section at its annual meeting for publication in the Annual Report of the Louisiana State Bar Association after approval by the Association’s Committee on Publications. He, in conjunction with the Chairman as authorized by the Council, shall attend generally to the business of the Section, and shall perform such other duties as may be assigned to him by the Chairman. During the disability of the Vice-Chairman, or upon his refusal to act, the SecretaryTreasurer shall perform the duties of the Vice-Chairman for so much of the remainder of the ViceChairman's term as the disability or refusal to act may continue.

## ARTICLE VI.

## DUTIES AND POWERS OF THE COUNCIL

Section 1. Powers. The Council shall have general supervision and control of the affairs of the Section, subject to the provisions of the Constitution and By-Laws of the Louisiana State Bar Association, the By-Laws of this Section, and the instructions of a majority of the Section members present and voting at an annual or special meeting of the Section.

Section 2. Action. All binding action of the Council shall be by a majority vote of the whole Council, conducted in a meeting, called by the Chairman and held either in person or by conference telephone call. If by conference telephone call, all members of the Council will be given sufficient notice of the telephone conference call, (normally not less than 24 hours) to allow members to participate in the conference call.

## ARTICLE VII.

## MEETINGS

Section 1. Annual Meetings. The Annual Meeting of the Section shall be held during the Annual Meeting of the Louisiana State Bar Association, with such program and order of business as may be arranged by the Council.

Section 2. Special Meetings. Special meetings of the Section may be called by the Chairman, upon approval of the Council. Special meetings of the Section shall also be called by the Chairman, or in his default by any officer, upon the written request of five members of the Section. All special meetings will be conducted on a Saturday morning, in New Orleans, Baton Rouge, or Lafayette; at least ten days' written notice must be given of any special meeting.

Section 3. Quorum. The members of the Section present at any meetings shall constitute a quorum for the transaction of business.

Section 4. Majority Vote. Except as herein otherwise expressly provided, all binding action of the Section at the meeting shall be by a majority vote of those members of the Section personally in attendance at the meeting (no proxies).

Section 5. Rules of Order. The Chairman shall have the authority to conduct any meeting on an informal basis. However, at the Chairman's discretion, or upon a majority vote of the members in attendance at the meeting, Robert's Rules of Order, Newly Revised, shall control the conduct of the meeting.

## ARTICLE VIII.

## MISCELLANEOUS PROVISIONS

Section 1. Fiscal Year. The fiscal year of the Section shall be the same as that of the Louisiana State Bar Association.

Section 2. Bills and Checks. All bills incurred by the Section shall, before being paid, be approved by the Chairman and either the Vice-Chairman or the Secretary- Treasurer, and checks for all disbursements shall be signed by any two of the officers, except as to funds appropriated by the Board of Governors of the Association, which shall be disbursed only by the proper officers of the Association on bills approved by the Council.

Section 3. Compensation. No salary or compensation, other than reimbursement for expenses properly incurred, shall be paid to any officer, council member or member of the Section or of a committee thereof.

Section 4. Effective Date. These By-Laws shall become effective immediately upon such approval thereof as may be required by the Articles and By-Laws of the Association.

Section 5. Printing. All printing for the Section or for the Council or any committee of the Section shall be done under the supervision of the Executive Director of the Louisiana State Bar Association.

Section 6. Term Limitation. Unless made necessary to fill a vacancy in the next higher office pursuant to Article III, Section 5 hereof, no officer shall serve in the same capacity for more than one Section year, that year to begin on the date of each annual Section meeting and end on the date of the next annual Section meeting.

Section 7. Non-Partisan Party. The Section and its officers as spokespersons for the Section shall not adopt, endorse, or otherwise advocate any partisan political or legislative position or policy and shall adhere to any similar by-law or policy statement adopted by the Association.

## ARTICLE IX.

## AMENDMENTS

Section 1. Adoption. These By-Laws may be amended during the Annual Meeting of the Section by a two-thirds majority vote of the members of the Section personally present and voting (no proxies), or may be amended at any special meeting of the Section, called for that specific purpose, by a majority of the members of the Section personally present and voting (no proxies), provided that no amendment so adopted shall become effective until approved by the Board of Governors of the Association. However, no amendment can be considered unless the members are provided at least ten days' notice of the meeting at which the amendment will be considered.

## Adopted, June 6, 2017.

## RESOLUTION

WHEREAS, the Louisiana State Bar Association, Section of Labor Relations and Employment Law, adopted revised By-Laws for the Section on June 6, 2017, by vote of more than two-thirds of the Section's members present at a meeting held that date for said purpose;

WHEREAS, Article VII, Section 4 of the By-Laws of the Louisiana State Bar Association provides that the By-Laws of each Section and amendments to same shall become effective only upon the approval of the House of Delegates;

WHEREAS, a copy of the newly revised By-Laws of the Louisiana State Bar Association, Section of Labor Relations and Employment Law is attached hereto for the review and approval of the House of Delegates;

BE IT RESOLVED that the attached revised By-Laws of the Louisiana State Bar Association, Section of Labor Relations and Employment Law, adopted by the Section on June 6, 2017, be hereby approved by the Louisiana State Bar Association, House of Delegates.

Respectfully submitted this $\qquad$ day of September, 2017, by the Louisiana State Bar Association, Section of Labor Relations and Employment Law through its undersigned Chairman, Kathryn M. Knight.

# LSBA SECTION OF LABOR RELATIONS <br> AND EMPLOYMENT LAW KATHRYN M. KNIGHT, CHAIRMAN 

## BY-LAWS OF THE SECTION OF LABOR RELATIONS AND EMPLOYMENT LAW

## ARTICLE I.

## NAME AND PURPOSE

Section 1. Name. This Section shall be known as the Section of Labor Relations and Employment Relations-Law.

Section 2. Purpose. The purpose of this Section shall be: (1) to encourage and foster discussions and studies and the dissemination of information pertaining to the statutes and jurisprudence relating to labor relations and employment law; (2) to provide opportunities for continuing education of the practicing attorney with regard to current developments in this field; (3) to study possible improvements in the statues and jurisprudence in this field and make recommendations of changes to appropriate committees and sections within the Louisiana State Bar Association; and (4) to cooperate with the Section of Labor and Employment Law of the American Bar Association whenever possible and not otherwise inconsistent with these By-Laws.

## ARTICLE II.

## MEMBERSHIP AND DUES

Section 1. Membership. There shall be two classes of members of the Section, namely, Active and Associate, as follows:
A. Active Members. Any member of the Louisiana State Bar Association (the "Association") shall be enrolled as a member of this Section upon payment of Section dues to the Association. Persons so enrolled shall constitute the Active Members of this Section and shall have all privileges thereof.
B. Associate Members. Any person not a member of the Association, but who (1) has been admitted to the practice of law in any State of the United States, and is employed by a governmental agency, or (2) is employed as an instructor in any part of the field of labor relations (including, without limitation, employment practices, and occupational safety and health) by any institution of higher learning within the State of Louisiana, may become enrolled as an Associate Member of the Section upon payment of Section dues in the same amount required of Active Members of the Association. Subject to such restrictions as may be imposed by the Association, Associate Members shall have all of the privileges of membership in the Section that are accorded to Active Members, except that Associate Members may not serve as officers of the Section; Associate membership in the Section, however, shall not thereby confer any of the privileges of membership in the Association.

Section 2. Dues. Until changed by resolution of two-thirds of those present and voting at an Annual Meeting of the Section or by a majority of those voting at a special meeting of the general membership of the Section called for that purpose, dues shall be $\$ 15.00$ a year. Dues shall be payable upon the same fiscal year basis as Association dues. Any member whose annual dues shall be more than six months delinquent shall immediately cease to be a member. Only Section members in good standing, with dues paid currently, shall be eligible to vote, hold any Section
office, or receive Section publications. Members of the judiciary shall not be obligated to pay dues. The association shall advise the Officers of the Section of the names and addresses of all persons who become Active or Associate members of the Section; such advice shall constitute compliance with Article XI, Section 2 of the Articles of Incorporation of the Association.

## ARTICLE III.

## OFFICERS

Section 1. Officers and Successorship. The general officers of this Section shall be a Chairman, a Vice-Chairman and a Secretary-Treasurer. The Secretary-Treasurer shall be elected annually from the Active membership in the manner and subject to the limitations hereinbelow provided; subject to the exception provided below in Section 5 of this Article. The SecretaryTreasurer shall automatically succeed to the office of Vice-Chairman for the term following the one for which he was elected Secretary-Treasurer, and the Vice-Chairman for any particular term shall automatically succeed to the office of Chairman for the following year.

Section 2. Limitations upon Election. The Secretary-Treasurer elected for the term commencing in 1989 and every third term thereafter shall be a lawyer who usually represents unions or employees, the Secretary-Treasurer elected for the term commencing in 1990 shall be a lawyer employed by a governmental agency, and the Secretary-Treasurer elected for the term commencing in 1991 and every third term thereafter shall be a lawyer who usually represents employers, provided that any Active Member of the Section who does not practice law but instead is employed as an instructor in any part of the field of labor relations may, by written declaration filed with the Secretary-Treasurer of the Section, elect to affiliate himself with, and thereby make himself eligible for election to Section office as a representative of any of the aforesaid three segments of the labor relations bar.

Section 3. Term. The Chairman, Vice-Chairman and Secretary-Treasurer shall hold office for a term beginning at the close of one Annual Meeting of the Association and ending at the close of the next succeeding Annual Meeting of the Association, or until their successors shall have been elected and qualified.

Section 4. Council. In addition to the officers described in Section 1, three additional eligible members of the Section shall be elected to serve as at-large members of the governing Council. The at-large Council members shall hold office for a term beginning at the close of one Annual Meeting of the Association and ending at the close of the next succeeding Annual Meeting of the Association or until their successors shall have been elected and qualified. An at-large Council Member who has been elected to or served three consecutive terms or major portions thereof shall not be eligible for election to an additional consecutive term in such position but after not serving as an at-large Council member for a full term, such person shall again be eligible for election to such position.

Section 5. Vacancies. If a vacancy occurs in the office of Chairman, the ViceChairman shall continue to perform the duties of Vice-Chairman, but also shall automatically succeed to the office of Chairman for the unexpired term, and shall also serve as Chairman for the succeeding term. If a vacancy should occur in the office of Vice-Chairman, the SecretaryTreasurer shall continue to perform his duties as such, but also shall automatically succeed to the office of Vice-Chairman for the unexpired term, and shall also serve as Vice- Chairman for the succeeding term. If a vacancy should occur in the office of Secretary- Treasurer, the vacancy for
the unexpired term shall be filled by a person chosen by the remaining members of the Council from among persons who would have been eligible for election to the said office for that term; if the remaining members of the Council are unable to agree, then a special meeting of the Section will be held, upon at least ten days written notice to all members of the Section, on a Saturday morning in New Orleans; at said meeting, nominations shall be made from the floor; nominees must be Active Members from the same segment of the labor relations bar as the person whose vacancy is to be filled; the election shall be by a majority vote of those personally in attendance at the meeting (no proxies), and shall be by a raised hands ballot, unless otherwise ordered by a resolution duly adopted by the Section at the meeting at which the election is held. The SecretaryTreasurer selected to fill an unexpired term shall not automatically succeed to the office of ViceChairman; instead, an election must be held for a Vice-Chairman at the same time as the election for a Secretary-Treasurer, at the Annual Meeting, following the procedure set forth in Article IV hereinbelow. A vacancy in one of the at-large Council positions shall be filled for the unexpired term by a person chose by the remaining members of the Council. If said members are unable to agree, then a special meeting of the Section will be held, upon at least ten days written notice to all members of the Section, on a Saturday morning in New Orleans; at said meeting, nominations shall be made from the floor; election shall be by a majority vote of those members personally in attendance at the meeting (no proxies) and shall be by raised hands ballot, unless otherwise ordered by a resolution duly adopted by the Section at the meeting.

## ARTICLE IV.

## QUALIFICATION AND ELECTION OF OFFICERS

Section 1. Notice of Intent to Run. Any member eligible to hold an office or Council position in the Section and who desires to be elected to said office or position at the election to be held at the Annual Meeting of the Section must notify the Chairman, in writing, no later than 60 30 days before the date on which the Annual Meeting is to be conducted of (1) his intention to run for election to office and/or Council position and (2) of the office or position for which he is interested in running. In order to ensure that this notification requirement is met, the Chairman shall, no later than 90 days before the Annual Meeting, in writing, remind all Section members of this requirement. The Chairman may also provide an appropriate form for use by members in meeting the notice requirement.

Section 2. Minimum Qualifications. To be eligible to hold any office for a position on the Council, a member must have participated in at least one annual or special business meeting of the Section or actively participated as a speaker at the Section sponsored seminar or programor attended a Section sponsored seminar or program. To be eligible to hold an Officer position on the Council, a member must have participated in at least one annual or special business meeting of the Section. Challenges to the eligibility of any person seeking a position must be made in writing to the Chairman of the Section and must be received by the Chairman before the Annual Meeting at which the election is to be conducted. The Council will meet in executive session, and, after obtaining any necessary information from the interested parties, decide the nominee's eligibility before the regularly-scheduled annual business meeting. The decision of the Council shall be final.

Section 3. Multiple Representation From Same Firm. No member who practices in the same law firm as atwo Officers or Council members n Officer or Council member shall be eligible for election as either Officer or Council member while the first membertwo members serves in that capacity.

Section 4. Election. The election of all Officers and Council members shall be held at during the Annual Meeting. The election shall be by a majority vote of those members of the Section personally in attendance at the meeting (no proxies), and shall be by raised hands ballot, unless otherwise ordered by resolution duly adopted by the Section at-during the Annual Meeting at which the election is held.

## ARTICLE V.

## DUTIES OF OFFICERS

Section 1. Chairman. The Chairman shall preside at all meetings of the Section and of the Council. He shall formulate and present at each Annual Meeting of the Louisiana State Bar Association a report of the work of the Section for the Section year then ending. He shall act as ex-officio member of all Section committees. He shall direct the affairs of the Section between meetings of the Council. He shall act as Chairman of the Section's seminar committee and shall act as moderator of the annual seminar presented by the Section. He shall perform such other duties and acts as usually pertain to his office, and may delegate any duties to other officers, Council members, or members as he sees fit.

Section 2. Vice-Chairman. The Vice-Chair shall perform all duties as may be assigned to him by the Chairman. During the disability of the Chairman, or upon his refusal to act, the ViceChairman shall perform the duties of the Chairman for so much of the remainder of the Chairman's term as the disability or refusal to act may continue.

Section 3. Secretary-Treasurer. The Secretary-Treasurer shall be the custodian of all books, papers, documents and other property of the Section. He shall keep a true record of the proceedings of all meetings of the Section, of the Council, and of committees of the Section. Subject to the supervision of the Chairman, he shall prepare a summary or digest of the proceedings of the Section at its annual meeting for publication in the Annual Report of the Louisiana State Bar Association after approval by the Association’s Committee on Publications. He, in conjunction with the Chairman as authorized by the Council, shall attend generally to the business of the Section, and shall perform such other duties as may be assigned to him by the Chairman. During the disability of the Vice-Chairman, or upon his refusal to act, the SecretaryTreasurer shall perform the duties of the Vice-Chairman for so much of the remainder of the ViceChairman's term as the disability or refusal to act may continue.

## ARTICLE VI.

## DUTIES AND POWERS OF THE COUNCIL

Section 1. Powers. The Council shall have general supervision and control of the affairs of the Section, subject to the provisions of the Constitution and By-Laws of the Louisiana State Bar Association, the By-Laws of this Section, and the instructions of a majority of the Section members present and voting at an annual or special meeting of the Section.

Section 2. Action. All binding action of the Council shall be by a majority vote of the whole Council, conducted in a meeting, called by the Chairman and held either in person or by conference telephone call. If by conference telephone call, all members of the Council will be given sufficient notice of the telephone conference call, (normally not less than 24 hours) to allow members to participate in the conference call.

ARTICLE VII.

## MEETINGS

Section 1. Annual Meetings. The Annual Meeting of the Section shall be held at during the time of the Annual Meeting of the Louisiana State Bar Association, with such program and order of business as may be arranged by the Council.

Section 2. Special Meetings. Special meetings of the Section may be called by the Chairman, upon approval of the Council. Special meetings of the Section shall also be called by the Chairman, or in his default by any officer, upon the written request of five members of the Section. All special meetings will be conducted on a Saturday morning, in New Orleans, Baton Rouge, or Lafayette; at least ten days written notice must be given of any special meeting.

Section 3. Quorum. The members of the Section present at any meetings shall constitute a quorum for the transaction of business.

Section 4. Majority Vote. Except as herein otherwise expressly provided, all binding action of the Section at the meeting shall be by a majority vote of those members of the Section personally in attendance at the meeting (no proxies).

Section 5. Rules of Order. The Chairman shall have the authority to conduct any meeting on an informal basis. However, at the Chairman's discretion, or upon a majority vote of the members in attendance at the meeting, Robert's Rules of Order, Newly Revised, shall control the conduct of the meeting.

## ARTICLE VIII.

## MISCELLANEOUS PROVISIONS

Section 1. Fiscal Year. The fiscal year of the Section shall be the same as that of the Louisiana State Bar Association.

Section 2. Bills and Checks. All bills incurred by the Section shall, before being paid, be approved by the Chairman and either the Vice-Chairman or the Secretary- Treasurer, and checks for all disbursements shall be signed by any two of the officers, except as to funds appropriated by the Board of Governors of the Association, which shall be disbursed only by the proper officers of the Association on bills approved by the Council.

Section 3. Compensation. No salary or compensation, other than reimbursement for expenses properly incurred, shall be paid to any officer, council member or member of the Section or of a committee thereof.

Section 4. Effective Date. These By-Laws shall become effective immediately upon such approval thereof as may be required by the Articles and By-Laws of the Association.

Section 5. Printing. All printing for the Section or for the Council or any committee of the Section shall be done under the supervision of the Executive Director of the Louisiana State Bar Association.

Section 6. Term Limitation. Unless made necessary to fill a vacancy in the next higher
office pursuant to Article III, Section 5 hereof, no officer shall serve in the same capacity for more than one Section year, that year to begin on the date of each annual Section meeting and end on the date of the next annual Section meeting.

Section 7. Non-Partisan Party. The Section and its officers as spokespersons for the Section shall not adopt, endorse, or otherwise advocate any partisan political or legislative position or policy and shall adhere to any similar by-law or policy statement adopted by the Association.

## ARTICLE IX.

## AMENDMENTS

Section 1. Adoption. These By-Laws may be amended at any-during the Annual Meeting of the Section by a two-thirds majority vote of the members of the Section personally present and voting (no proxies), or may be amended at any special meeting of the Section, called for that specific purpose, by a majority of the members of the Section personally present and voting (no proxies), provided that no amendment so adopted shall become effective until approved by the Board of Governors of the Association. However, no amendment can be considered unless the members are provided at least ten days' notice of the meeting at which the amendment will be considered.

## Adopted, August 27, 1988June 6, 2017.

## RESOLUTION

WHEREAS, the Louisiana State Bar Association, Section of Labor Relations and Employment Law, adopted revised By-Laws for the Section on August 27,1988June 6, 2017, by vote of more than two-thirds of the Section's members present at a meeting held that date for said purpose;

WHEREAS, Article VII, Section 4 of the By-Laws of the Louisiana State Bar Association provides that the By-Laws of each Section and amendments to same shall become effective only upon the approval of the House of Delegates;

WHEREAS, a copy of the newly revised By-Laws of the Louisiana State Bar Association, Section of Labor Relations and Employment Law is attached hereto for the review and approval of the House of Delegates;

BE IT RESOLVED that the attached revised By-Laws of the Louisiana State Bar Association, Section of Labor Relations and Employment Law, adopted by the Section on August 27, 1988June 6, 2017, be hereby approved by the Louisiana State Bar Association, House of Delegates.

Respectfully submitted this 26th day of October, 1988___day of September, 2017, by the Louisiana State Bar Association, Section of Labor Relations and Employment Law through its undersigned Chairman, Melanie A. LeavittKathryn M. Knight.
(original signed by Melanie A. LeavittKathryn M. Knight)
LSBA SECTION OF LABOR RELATIONS AND

EMPLOYMENT LAW
MELANIE A LEAVITTKATHRYN M. KNIGHT, CHAIRMAN

## RESOLUTION OF THE LOUISIANA BOARD OF LEGAL SPECIALIZATION TO AMEND TAX LAW STANDARDS

WHEREAS, the Louisiana Board of Legal Specialization is empowered under Section 3.1C of the Louisiana State Bar Association Plan of Legal Specialization to make recommendations to the House of Delegates of the Louisiana State Bar Association with respect to reasonable and non-discriminatory standards concerning education, experience, proficiency and other relevant matters for granting certificates of special competence to lawyers in defined and designated fields of law;

WHEREAS, a determination was made by the Tax Law Advisory Commission that an amendment to the Standards is in order to revise Section III (A)(3) of the Tax Law Standards, which presently reads:
3. Program content should be current and $70 \%$ or more of the program must be devoted to tax law subjects. No specialization CLE credit will be awarded for attending a program which does not satisfy the $70 \%$ requirement contained herein.

WHEREAS, a determination was made by the Tax Law Advisory Commission that the requirement of $70 \%$ should be reduced to $50 \%$ of a program that must be devoted to tax law subjects to grant tax law specialization credit; and furthermore, that if the program does not meet the $50 \%$ requirement, that individual sessions will qualify for tax law credit if $50 \%$ or more of the content of the individual session is devoted to tax law; and that Section III(A)(3) of the Tax Law Standards should be amended as follows:
3. Program content should be current. Tax law specialization CLE credit will be granted for an entire program if $50 \%$ or more of the program is devoted to tax law subjects. If the program in its entirety does not meet the $50 \%$ requirement, individual sessions within the program will qualify for tax law specialization CLE credit if $50 \%$ or more of the content of the session is devoted to tax law.

WHEREAS, it is the recommendation of the Louisiana Board of Legal Specialization that it would be appropriate to amend Section III(A)(3) of the Louisiana Board of Legal Specialization Tax Law Standards to grant tax law specialization CLE credit for an entire program if $50 \%$ or more of the program is devoted to tax law subjects. If the program in its entirety does not meet the $50 \%$ requirement, individual sessions within the program will qualify for tax law specialization CLE credit if $50 \%$ or more of the content of the session is devoted to tax law.

## NOW, THEREFORE, BE IT RESOLVED that:

The Louisiana Board of Legal Specialization does hereby resolve that there should be an amendment to Section III(A)(3) of the Louisiana Board of Legal Specialization Tax Law Standards to grant tax law specialization CLE credit for an entire program if $50 \%$ or more of the program is devoted to tax law subjects. If the program in its entirety does not meet the $50 \%$ requirement, individual sessions within the program will qualify for tax law specialization CLE credit if $50 \%$ or more of the content of the session is devoted to tax law;

FURTHER, be it resolved that this Resolution be submitted to the House of Delegates of the Louisiana State Bar Association for approval.


December 12, 2017
New Orleans, Louisiana

APPROVED
HOUSE OF DELEGATES \& BOARD OF GOVERNORS
JANUARY 20, 2018
BATON ROUGE , LA

## RESOLUTION OF THE LSBA HOUSE OF DELEGATES TO URGE THE LOUISIANA LEGISLATURE TO SUSPEND IMPLEMENTATION OF STANDARDS FOR SPECIALIZATION IN EMPLOYMENT LAW

WHEREAS, on January 21, 2017, the Louisiana State Bar Association House of Delegates ("House") was presented with a resolution regarding the implementation of a specialty certification in Employment Law by the Louisiana Board of Legal Specialization ("LBLS");

WHEREAS, the resolution before the House, as presented by the LBLS, represented that there had been adequate opportunity for members of the bar to comment on the proposed Louisiana Board of Legal Specialization Employment Law Standards;

WHEREAS the resolution failed to disclose that a survey obtained to assess support for the Employment Law Standards demonstrate opposition at a rate of 2-to-1 AGAINST adoption of such standards;

WHEREAS the resolution also remained silent regarding the fact that there remained significant opposition to the proposed specialization standards from affected members of the Louisiana State Bar Association;

WHEREAS a group of affected practitioners issued a joint letter dated January 20, 2017 to the entire House, and attempted to contact various Officers and individual Delegates by telephone to discuss the problems with the resolution;

WHEREAS there were numerous problems with the Employment Law Standards noted in this letter, including potentially discriminatory effects against women, potential competitive disadvantages for small firms and solo practitioners, and poorly conceived application practitioners who practice in the area of employee benefits and/or the Employee Retirement Income Security Act ("ERISA");

WHEREAS opponents of the Employment Law Standards also noted that these standards were largely duplicative of proposed Labor Law Standards, which were adopted simultaneously, and would therefore force many practitioners to accept the burdens of dual certification, and the attendant costs;

WHEREAS the January 20, 2017 letter to the House, which set forth many of these grounds for opposing the Employment Law Standards, was made available at the January 2017 House meeting, with the intention of giving certain Delegates the opportunity to speak in opposition to the Employment Law Standards;

WHEREAS the resolution approving the Employment Law Standards was approved as part of a package of similar resolutions, with no debate as to the merits of the Employment Law Standards, nor any discussion of the substantial opposition among affected practitioners, nor the various reasons for said opposition;

WHEREAS the Delegates who had been prepared to speak in opposition to the proposed standards were thus deprived of an opportunity to address the House; and

WHEREAS the House resolution adopting the Employment Law Standards was passed without debate or discussion of any of the foregoing; and

WHEREAS the House desires that any significant resolutions, such as those adopting the Employment Law Standards, represent the product of thoughtful, well-informed debate and deliberation; and

NOW, THEREFORE, BE IT RESOLVED that:
This Resolution shall be presented to the House of Delegates of the Louisiana State Bar Association; and

FURTHER, be it resolved that the House of Delegates of the Louisiana State Bar Association shall suspend implementation of the current standards for specialization in Employment Law, as approved on January 21, 2017, for further study and consideration; and

FURTHER, be it resolved that the House of Delegates of the Louisiana State Bar Association, requests that the Louisiana Board of Legal Specialization conduct further study on the Employment Law Standards, including (i) whether a majority of affected practitioners actually support the standards, in light of prior survey data demonstrating greater opposition than support; and (ii) whether concerns over discriminatory effects and unfair competitive advantages can be adequately addressed.


Francis Barry, Member Judicial District: Orleans Parish
/s/ Glenn Adams
$\qquad$
Glenn Adams, Member
Judicial District: Orleans Parish
December 13, 2017

## APPROVED

HOUSE OF DELEGATES \& BOARD OF GOVERNORS

## RESOLUTION OF THE LSBA HOUSE OF DELEGATES TO URGE THE LOUISIANA LEGISLATURE TO SUSPEND IMPLEMENTATION OF STANDARDS FOR SPECIALIZATION IN LABOR LAW

WHEREAS, on January 21, 2017, the Louisiana State Bar Association House of Delegates ("House") was presented with a resolution regarding the implementation of a specialty certification in Labor Law by the Louisiana Board of Legal Specialization ("LBLS");

WHEREAS, the resolution before the House, as presented by the LBLS, represented that there had been adequate opportunity for members of the bar to comment on the proposed Louisiana Board of Legal Specialization Labor Law Standards;

WHEREAS the resolution failed to disclose that a survey obtained to assess support for the Labor Law Standards demonstrate opposition at a rate of 2-to-1 AGAINST adoption of such standards;

WHEREAS the resolution also remained silent regarding the fact that there remained significant opposition to the proposed specialization standards from affected members of the Louisiana State Bar Association;

WHEREAS a group of affected practitioners issued a joint letter dated January 20, 2017 to the entire House, and attempted to contact various Officers and individual Delegates by telephone to discuss the problems with the resolution;

WHEREAS there were numerous problems with the Labor Law Standards noted in this letter, including potentially discriminatory effects against women, potential competitive disadvantages for small firms and solo practitioners, and poorly conceived application practitioners who practice in the area of employee benefits and/or the Employee Retirement Income Security Act ("ERISA");

WHEREAS opponents of the Labor Law Standards also noted that these standards were largely duplicative of proposed Employment Law Standards, which were adopted simultaneously, and would therefore force many practitioners to accept the burdens of dual certification, and the attendant costs;

WHEREAS the January 20, 2017 letter to the House, which set forth many of these grounds for opposing the Labor Law Standards, was made available at the January 2017 House meeting, with the intention of giving certain Delegates the opportunity to speak in opposition to the Labor Law Standards;

WHEREAS the resolution approving the Labor Law Standards was approved as part of a package of similar resolutions, with no debate as to the merits of the Labor Law Standards, nor any discussion of the substantial opposition among affected practitioners, nor the various reasons for said opposition;

WHEREAS the Delegates who had been prepared to speak in opposition to the proposed standards were thus deprived of an opportunity to address the House; and

WHEREAS the House resolution adopting the Labor Law Standards was passed without debate or discussion of any of the foregoing; and

WHEREAS the House desires that any significant resolutions, such as those adopting the Labor Law Standards, represent the product of thoughtful, well-informed debate and deliberation; and

NOW, THEREFORE, BE IT RESOLVED that:
This Resolution shall be presented to the House of Delegates of the Louisiana State Bar Association; and

FURTHER, be it resolved that the House of Delegates of the Louisiana State Bar Association shall suspend implementation of the current standards for specialization in Labor Law, as approved on January 21, 2017, for further study and consideration; and

FURTHER, be it resolved that the House of Delegates of the Louisiana State Bar Association, requests that the Louisiana Board of Legal Specialization conduct further study on the Labor Law Standards, including (i) whether a majority of affected practitioners actually support the standards, in light of prior survey data demonstrating greater opposition than support; and (ii) whether concerns over discriminatory effects and unfair competitive advantages can be adequately addressed.
/s/ Francis Barry

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Francis Barry, Member Judicial District: Orleans Parish
/s/ Glenn Adams

> MES forGBA

Glenn Adams, Member
Judicial District: Orleans Parish
December 13, 2017

# RESOLUTION FROM LSBA MEMBER DAN M. BOUDREAUX REGARDING ARTICLE I, SECTION 2 OF THE BYLAWS OF THE LOUISIANA STATE BAR ASSOCIATION 

WHEREAS, the Bylaws of the Louisiana State Bar Association currently provide a mechanism for consideration of dues waivers for "those members experiencing financial hardship, illness or other extraordinary circumstances," and

WHEREAS, Rule 6.1 of the Rules of Professional Conduct promulgated by the Louisiana Supreme Court provides that "Every lawyer should aspire to provide legal services to those unable to pay. A lawyer should aspire to render at least fifty (50) hours of pro bono publico legal services per year," and

WHEREAS, the Louisiana State Bar Association should provide a dues waiver procedure for those lawyers who complete at least twenty (20) hours of approved pro bono legal services.

NOW THEREFORE BE IT RESOLVED, that Article I, Section 2 of the LSBA Bylaws be amended to add the following paragraph:
"The Board of Directors shall establish a dues waiver procedure for members of the LSBA who complete at least twenty (20) hours of approved pro bono legal services per fiscal year of the LSBA."


TABLED
HOUSE OF DELEGATES \& BOARD OF GOVERNORS

## RESOLUTION OF LSBA HOUSE OF DELEGATES

WHEREAS, the articles of the Louisiana State Bar Association (LSBA) provides that the object and purpose of the Association includes promoting the administration of justice;

WHEREAS, the promoting the administration of justice includes support for basic and fundamental human rights including the human rights of freedom of speech and freedom of religion;

WHEREAS, the human rights of freedom of speech and freedom of religion are protected by the First Amendment to the Constitution of the United States of America and by Sections 7 and 8 of Article I of the Constitution of the State of Louisiana;

WHEREAS, in recent years, there has been attacks in our State and Nation on the fundamental rights of freedom of speech and freedom of religion;

WHEREAS, in recent years, the rights of free speech and freedom of religion have been threatened in the State of Louisiana by the arrests and threat of arrest of Christian preachers simply for speaking about their faith in public places;

WHEREAS, there have been other threats to these rights throughout the state and nation including a denial of justice to persons being threatened with arrest, imprisonment or the loss of their livelihood or denial of license to practice their profession simply because of the expression of their faith or their refusal to engage in acts prohibited by their religion;

WHEREAS, it is appropriate for the LSBA to support the $1^{\text {st }}$ Amendment to the Constitution of the United States of America and $\S \S 7$ and 8 of Article I of the Louisiana

Constitution and to support the freedom of speech and the freedom of religion and oppose laws, regulations, rules and practices that prohibit or impair such freedoms;

NOW, THEREFORE, BE IT RESOLVED that the Louisiana State Bar Association supports the $1^{\text {st }}$ Amendment to the United States Constitution and $\S \S 7$ and 8 of Article I of the Louisiana Constitution, and freedom of speech and the freedom of religion and urges the repeal of all laws and municipal ordinances, regulations, rules, executive orders and other practices that prohibit or impair the freedom of speech or the freedom of religion or that discriminates against persons because of their faith, their free exercise thereof, or because of their expression of their religious or political views and urge the adoption of laws which protect freedom of speech and freedom of religion.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Governor of the State of Louisiana, the Speaker of the Louisiana House of Representatives, the President of the Louisiana State Senate, and to the Louisiana Municipal Association.

Respectfully submitted,
LOUISIANA STATE BAR ASSOCIATION HOUSE OF DELEGATES

R. BRADLEY EEWIS, MEMBER $22^{\text {nd }}$ JUDICIAL DISTRICT


[^0]:    Signature, Louisiana State Bar Association Member
    Following approval by the Louisiana State Bar Association House of Delegates and Board of Governors at the Mid-Year Meeting, and approval by the Supreme Court of Louisiana on Jan. 10, 1992, the Code of Professionalism was adopted for the membership. The Code originated out of the Professionalism and Qualiyy of Life Committee.

