President Wayne J. Lee called to order the meeting of the Board of Governors of the Louisiana State Bar Association at 2:20 p.m., Friday, April 30, 2004, in Baton Rouge, Louisiana. Business was conducted in accordance with the agenda below.

Agenda Item 1. Roll Call.

Present were:
President, Wayne J. Lee
President-Elect, Michael W. McKay
Secretary, James R. McClelland
Treasurer, Frank X. Neuner, Jr.
Immediate Past President, Larry Feldman, Jr.
Chair, Young Lawyers Section, Monique L. Svenson
First Board District Representative, Darryl J. Foster
Second Board District Representative, S. Guy deLaup
Third Board District Representative, Shannon Seiler Dartez
Fourth Board District Representative, Winfield E. Little, Jr.
Fifth Board District Representative, E. Wade Shows
Sixth Board District Representative, William M. Ford
Seventh Board District Representative, Richard L. Fewell, Jr.
At-Large Member, Sheral C. Kellar
From the Louisiana State Law Institute, James A. Gray II
House of Delegates Committee on Liaison Chair, Andrew Reed
House of Delegates Committee on Liaison Member, Timothy A. Maragos

Also present were:
Executive Director, Loretta Larsen Topey
Access to Justice Director, Monte T. Mollere
Communications Director, Michele C. Norris
Member Services Director, Judith W. Dugar
Executive Assistant, Ramona K. Meyers
Treasurer-Elect Designate, Kim M. Boyle
Access to Justice Committee Co-Chair, Marta-Ann Schnabel

Absent were:
First Board District Representative, Elizabeth Haecker Ryan
Eighth Board District Representative, Edwin L. Blewer, Jr.
At-Large Member, Preston J. Castille, Jr.
Absent cont’d:
At-Large Member, Pamela W. Carter
From the Faculty of Loyola University School of Law, Kathryn V. Lorio
From the Faculty of Southern University Law Center, Donald W. North
House of Delegates Committee on Liaison Member, John S. Coulter

Consent Calendar

The following items were included on the Consent Calendar and moved for approval without discussion and/or debate and unanimously approved.

2. Approval of Minutes.
The minutes of the January 24, 2004 meeting held in New Orleans, were approved as prepared.

The Board ratified the following appointments to fill vacancies in the House of Delegates:

   2003-04 House of Delegates
   Twenty-First Judicial District     Frank J. Ferrara, Jr.
                                      Sadie S. Ferrara
                                      Jeffery S. Johnson
   Thirty-Third Judicial District    Malcolm J. Dugas, Jr.
                                      Ericka K. Schexnayder

   2004-05 House of Delegates
   Sixth Judicial District           James E. Paxton
                                      Leroy Smith, Jr.
   Twelfth Judicial District         Dan B. McKay, Jr.

Agenda Item 4.      Louisiana Bar Center.

President Lee informed the Board that the Louisiana Bar Foundation accepted the counteroffer, which did not include profit sharing should the Association decide to sell the Louisiana Bar Center. Inspections for structural integrity, mechanical, electrical, phase I environmental, pest and roof have been performed and a report on the findings is forthcoming. He stated that counsel is drafting the necessary documents and it is anticipated that the transaction will be completed by the end of May.
Agenda Item 5. Euclid Software Conversion.

Mr. Neuner provided a brief report on the status of the conversion. He indicated that some items were incomplete but progress was being made and the system is working as expected.


Mr. Lee reported on the program held April 23 commemorating the 50th anniversary of Brown v. Board of Education of Topeka, Kansas. The event was held at the Lindy C. Boggs International Conference Center at UNO in New Orleans. The program featured a plenary session and several interactive breakouts.

Agenda Item 7. At-Large Board Member.

Mr. McKay announced the appointment of Paula Hartley Clayton as at-large representative on the Board of Governors for a term beginning June 2004 and ending June 2007. Mr. McKay noted that the Board approved this appointment via fax in March.

Agenda Item 8. Consideration of Any Item Removed from Consent Calendar.

No items were removed from the Consent Calendar for further discussion/debate.

Agenda Item 9. Legislation Committee.

Mr. Lee reported on the April 29 meeting of the Legislation Committee. There was some discussion about the committee's actions and concern that the committee had taken no position on the trust account overdraft notification bill (HB814) that was submitted to the Legislature at the Association's request as a result of a policy adopted by the House of Delegates at its January 2002 meeting. After some discussion, Mr. McKay moved that bills submitted to the Legislature at the LSBA's request based on existing Association policy not be forwarded to the House of Delegates for consideration. The motion was seconded and approved by a vote of 8 in favor and 6 against.

The Board also discussed the need for specific policies and procedures for both the Legislation Committee and House of Delegates. Mr. McKay indicated he would appoint a committee to address this no later than July 2004, with recommendations to be made to the House at the January 2005 meeting.

Mr. Neuner presented the amendments to the FY 2003-2004 budget which were approved by the Budget Committee and Executive Committee on March 23. The Board unanimously ratified the following amendments:

- Increase Dues income from $1,728,000 to $1,731,000;
- Increase CLE Sponsorships income from $20,000 to $23,000;
- Decrease Bar Journal income from $175,000 to $160,000;
- Decrease Bar Briefs income from $50,000 to $40,000;
- Decrease Web Site income from $25,000 to $12,000;
- Decrease Section Assessments income from $21,300 to $17,500;
- Increase Royalties income from $65,000 to $70,000;
- Decrease Statewide LRIS income from $5,000 to $3,500;
- Decrease Midyear Meeting Sponsorships income from $10,000 to $4,500;
- Increase Professionalism CLE Tapes income from $14,000 to $15,000;
- Increase Uniform Title Standards Book income from $3,000 to $3,300;
- Increase President-Elect Designee expenses from $2,500 to $3,500;
- Increase Secretary expenses from $1,500 to $2,500;
- Increase Treasurer expenses from $2,500 to $3,500;
- Decrease Bar Journal expenses from $175,000 to $155,000;
- Decrease Committee Expenses from $55,000 to $50,000;
- Decrease Public Information Committee expenses from $28,000 to $23,000;
- Increase Legislation Committee expenses from $5,000 to $80,000;
- Decrease Leadership LSBA Committee expenses from $5,000 to $3,000;
- Decrease Law School Professionalism Programs expenses from $22,000 to $20,600;
- Decrease Professionalism CLE Tapes expenses from $4,000 to $3,500;
- Decrease Midyear Meeting expenses from $35,000 to $30,000;
- Increase Nominations and Elections expenses from $74,000 to $81,000;
- Decrease Memorial Exercises from $1,500 to $500;
- Decrease Crystal Gavel Awards expenses from $1,000 to $500;
- Decrease Louisiana State Justice Center expenses from $5,000 to $2,000;
- Increase PAIP Furniture & Equipment expenses from $2,000 to $3,000;
- Increase PAIP Supplies expenses from $9,000 to $12,000;
- Decrease PAIP Telephone expenses from $3,000 to $1,500;
- Decrease Ethics Advisory Personnel expenses from $98,000 to $95,000;
- Decrease Fee Arbitration Program from $3,000 to $2,000;
- Decrease Professionalism & Quality of Life expenses from $4,000 to -0-;
- Decrease Staff Salaries expenses from $766,530 to $741,530;
increase Executive Director expenses from $12,000 to $15,000; 
 decrease Marketing Coordinator expenses from $2,500 to $1,000; 
 decrease Communications Coordinator expenses from $1,500 to $500; 
 decrease Staff Insurance expenses from $104,620 to $84,620; 
 increase Professional Services expenses from $21,000 to $51,000; 
 increase Furniture and Equipment expenses from $20,000 to $28,000; 
 decrease Telephone and Fax expenses from $48,000 to $45,000; 
 decrease Database Management Software expenses from $68,000 to $48,000.


a. Consideration of internal operating policy regarding investment of Access to Justice Program Funds.
Marta-Ann Schnabel, committee chair, presented a revised policy to the Board. The policy was unanimously approved.

b. Consideration of nominees for 2004 Pro Bono Awards.
The Board considered the recommendations of the Access to Justice Committee regarding Pro Bono award recipients, said awards to be presented at the 2004 Annual Meeting. The Board approved the following individuals for the various 2004 Pro Bono Awards:

David A. Hamilton Lifetime Achievement Award
Richard C. Broussard Lafayette
Frank X. Neuner, Jr. Lafayette

Career Public Interest Award
Rowena T. Jones New Orleans
Michael A. Mitchell Baton Rouge

Pro Bono Publico Award
Fred Timothy D. Crifasi Baton Rouge
Anthony M. Dileo New Orleans
Marion Dean Floyd New Orleans
Edward P. Gothard New Orleans
William Deryl Medlin Shreveport
Rick D. Mere Lafayette
Morris, Lee & Bayle, LLC New Orleans
Daniel T. Murchison, Sr. Shreveport
c. **Update on Louisiana justice community planning activities.**

Ms. Schnabel referred the Board to a written report contained in their handbook and briefly reviewed the activities of the committee.

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**Agenda Item 12. Dues Waiver.**

Mr. McKay asked the Board to consider a dues waiver for lawyers called to active military duty. He stated that Article I, Section 2 of the Association's Bylaws gives the Board the authority to waive dues for extraordinary circumstances. He noted that a dues waiver would not necessarily mean a waiver of the disciplinary assessment. Mr. McKay made the following resolution which was seconded and unanimously approved:

- Be it resolved that any LSBA member who is also a member of the Reserve or Guard and who is called up to active duty be entitled to a dues waiver for any year in which he/she is on active duty at the time the dues are due; and
- Be it further resolved that the LSBA request that the Supreme court likewise waive the disciplinary assessment; and
- Be it further resolved that the LSBA request that the Supreme Court waive the member's MCLE obligation if he/she is a member of the Reserve or Guard who is on active duty at any time during the compliance year; and
- Be it further resolved that the member will need to send copies of his/her Orders in order to be entitled to such waivers; and
- Be it further resolved that the availability of the waivers shall be advertised on the LSBA Web Site, www.LSBA.org.

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**Agenda Item 13. Louisiana Board of Legal Specialization.**

The Board unanimously approved recommending to the Supreme Court the following individuals to serve on the Louisiana Board of Legal Specialization:

- reappointment of Kathy L. Torregano for an additional three-year term;
- appointment of William F. Grace, Jr. to succeed Roy C. Cheatwood; and
- appointment of Paul Henry Kidd, Jr. to succeed Robert P. McLeod, Jr.

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**Agenda Item 14. Report of the President**

a. **President's Award.**

President Lee informed the Board that he was in the process of selecting recipients for the President's Award, which will be presented during the Annual Brunch held in conjunction with the Annual Meeting.
b. **Louisiana Judicial Council of the National Bar Association Conference.**  
President Lee reported that the NBA was appreciative of the LSBA donation and referred members to a letter of thanks from Billy Casey.

c. **Task Force on Diversity in the Profession.**  
President Lee stated that the Task Force was moving forward and that Mr. McKay had agreed to allow the Task Force to continue its efforts during his term as President.

d. **2004 Annual Meeting.**  
President Lee briefly reported on the plans for Annual Meeting and reminded Board members to register and to encourage others to do so.

e. **ABA Day in Washington.**  
President Lee announced that he, Mr. McKay and Mr. Mollere would be attending the ABA day in Washington on May 4-6 to meet with members of the Louisiana Congressional to encourage federal funding of Legal Services Corporation.

f. **Fifth Circuit Judicial Conference.**  
Mr. Lee reported on plans for the conference scheduled May 11-14 in Austin, Texas.

g. **State Street Demand.**  
Mr. Lee and Mr. Neuner reported on the March 23 meeting with representatives from the ABA Members Retirement Program and State Street and their request that the LSBA reconsider its endorsement of the program. Mr. Lee announced State Street’s willingness to reimburse the LSBA for additional expenses in connection with plan administration problems, whether or not the endorsement was reinstated. After some discussion, Mr. Lee moved that the LSBA reinstate its endorsement of the ABA Members Retirement Program with a one-year probation period, which probation shall be: 1) State Street will reimburse the LSBA for reasonable legal and accounting expenses associated with review of the LSBA’s 5500 and plan documentation through June 30, 2005; 2) State Street will provide plan documentation for a sample set of Louisiana clients (with identifying information redacted) for independent legal review; and 3) reasonable legal expenses associated with this review will be reimbursed by State Street. The motion was seconded and unanimously approved.

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**Agenda Item 15. Report of the Treasurer**

Mr. Neuner reported that the Fiscal Year 2004-2005 budget was being developed and would be presented to the 2004-2005 Board for approval at its June meeting.
Agenda Item 16. Report of the Secretary

Mr. McClelland gave brief reports on “Bar Briefs” and Louisiana Bar Journal.

Agenda Item 17. Report of the President-Elect

a. 2004-2005 Committee Appointments.
   Mr. McKay reported that committee appointments were underway.

b. Ethics Advisory Service Committee/Lawyer Advertising Committee.
   Mr. McKay reported that he was considering a merger of these two committees.

c. 2004-2005 Board of Governors Orientation held April 23-25.
   Mr. McKay presented a report on the 2004-05 Board orientation held April 23-25 in Orange Beach, Alabama.

Agenda Item 18. Report of the Young Lawyers Section Chair

Ms. Svenson reported on numerous Section activities, including the High School Essay Contest, the High School Mock Trial Competition, and activities of the Law School Outreach Committee.

Agenda Item 19. Report of the Executive Director

The Board went into Executive Session.

a. Staff Medical Insurance.
   A motion was made to approve the recommendations of the Executive Director relating to changes in staff medical insurance benefits. The motion was seconded and approved with some opposition.

b. Staff Dental Insurance.
   A motion was made to approve the recommendations of the Executive Director relating to changes in staff dental insurance benefits. The motion was seconded and unanimously approved.

Executive Session Ended.

c. Past President's Room.
   Ms. Topey announced that renovation of the Past President's Room was progressing, with new wallpaper installed and new chairs on order. She anticipated the renovations would be complete by June 30, 2004.
d. **Louisiana Bar Journal Printing Contract.**
Ms. Topey stated that The Ovid Bell Press, Inc. had offered to extend its *Louisiana Bar Journal* printing contract for 2004-2005 under the same terms as approved by the Board for 2003-2004. Upon recommendation of Ms. Topey, the continuation of the contract was unanimously approved.

**Agenda Item 20. Other Matters.**

a. **Date of Next Meeting.**
The final meeting of the Board of Governors will be held Thursday, June 10 at the Sandestin Golf and Beach Resort. Additional information on this meeting will be sent to Board members in the near future.

**Agenda Item 21. Adjournment.**
There being no further business to discuss, the meeting was adjourned at 5 p.m.

Respectfully Submitted:

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James R. McClelland
Secretary

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Date