

**LOUISIANA STATE BAR ASSOCIATION
BOARD OF GOVERNORS
AUGUST 24, 2002**

*** M I N U T E S ***

President Larry Feldman, Jr. called to order the meeting of the Board of Governors of the Louisiana State Bar Association at 9 a.m., Saturday, August 24, 2002, in St. Francisville, Louisiana. Business was conducted in accordance with the agenda below.

Agenda Item 1. Roll Call

Present were:

President, Larry Feldman, Jr.
President-Elect, Wayne J. Lee
Secretary, Marta-Ann Schnabel
Treasurer, Frank X. Neuner, Jr.
Chair, Young Lawyers Section, Stacy C. Auzenne
First Board District Representative, Elizabeth Haecker Ryan
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, Elizabeth Erny Foote
Seventh Board District Representative, Carrick R. Inabnett
Eighth Board District Representative, John M. Frazier
At-Large Member, Karl J. Connor
At-Large Member, Preston J. Castille, Jr.
At-Large Member, Sheral C. Kellar
From the Faculty of LSU Paul M. Hebert Law Center, John M. Church
From the Louisiana State Law Institute, J. David Ziober
House of Delegates Liaison, Harold S. Bartholomew
House of Delegates Liaison Member, Michael O. Hesse

Also present were:

Executive Director, Loretta L. Topey
Access to Justice Director, Monte T. Mollere
Member Services Director, Judith W. Dugar
Practice Assistance Counsel, Cheri Cotogno Grodsky
Executive Assistant, Ramona K. Meyers

Board of Governors Minutes
August 24, 2002
Page 2

Absent were:

Immediate Past President, Michael H. Rubin

From the Faculty of Tulane University Law School, Lawrence J. Ponoroff

House of Delegates Liaison, H. Kent Aguillard

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 June 27 (2001-02 Board) and June 28 (2002-03 Board) meetings held in Destin, Florida, were approved as prepared.

3. House of Delegates Appointments.

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

Second Judicial District	Roy M. Lilly, Jr.
Third Judicial District	Tyler G. Storms
Fourth Judicial District	Shawn D. Akers
	Donald J. Anzelmo
Eighth Judicial District	Terry R. Reeves
Seventeenth Judicial District	Kristine Morvant Russell
Twenty-Fourth Judicial District	Brett M. Dupuy
	Thomas K. Foutz
	Anthony J. Staines
Thirty-Fourth Judicial District	Eric A. Bopp
Orleans Parish	Marcus V. Brown

Agenda Item 4. Consideration of Any Items(s) Removed from Consent Calendar.

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

Agenda Item 5. Nominating Committee.

President Feldman reported that the Nominating Committee had met on August 23 and nominated Michael W. McKay of Baton Rouge as President-Elect for 2003-04; James R. McClelland of Franklin as Secretary for 2003-05; Kathryn V. Lorio to the Board of Governors as representative from the Loyola University School of Law for 2003-05, and Donald W. North to the Board of Governors as representative from Southern University Law Center for 2003-05. The committee voted to accept the name of the individual who will be designated by the Louisiana State Law Institute to represent it on the Board of Governors for 2003-2005 at its September

Board of Governors Minutes
August 24, 2002
Page 3

2002 meeting. Mr. Feldman stated that on Monday, September 23, 2002, the membership would be notified via mail of the action taken by the Nominating Committee.

Agenda Item 6. Board Conflict of Interest Policy.

The Board unanimously approved the proposed Conflict of Interest Policy and the document was signed by each member.

Agenda Item 7. Contracts Update.

- a. Louisiana Legal Directory.
President Feldman informed the Board that negotiations had been completed and a signed contract should be received at the LSBA offices during the coming week.
- b. CommuniGroup.
Mr. Church reported on his review of the CommuniGroup of Louisiana, Inc., contract and moved its acceptance by the Board. The motion was unanimously approved.
- c. Tel-Law.
Mr. Lee informed the Board that negotiations with SLERC were ongoing with discussions centered on the ownership of any new tapes developed for the program. Mr. Lee stated that the program was continuing to operate during the negotiation process. Mr. Lee then moved that the Board accept the contract, operating under an agreement that any new tapes developed for the program would be the property of the LSBA. The motion was unanimously approved.
- d. Appointment of Board Contract Review Committee.
President Feldman announced the appointment of John M. Church, Shannon Seiler Dartez, Darryl J. Foster and Winfield E. Little, Jr. to serve on the Board Contract Review Committee. He indicated that all contracts would be reviewed by the committee prior to consideration by the Board.

Agenda Item 8. Ethics 2000 Public Hearings.

Ms. Grodsky informed the Board that nine public hearings had been scheduled around the state and asked the Board members to attend as well as to encourage attendance by others. The program consists of a 45 minute presentation by members of the Ethics 2000 Committee with a 15 minute question and answer session. A short reception follows. Attorneys attending will receive one hour of ethics credit.

Agenda Item 9. Staff Pension Plan and Profit Sharing Plan.

Mr. Neuner removed this item from discussion, informing the Board that the consulting attorney has new language to propose that will be presented at the November meeting of the Board.

Agenda Item 10. Legal Services Corporation Funding.

Mr. Mollere reported that Louisiana will face serious reductions in LSC funding due to the 2001 census data reflecting a reduction in the state's poverty population. The committee would like the Board's commitment to help obtain increased funding for Louisiana Legal Services Providers through a legislative appropriation. The committee is in the process of developing a legislative plan that would include the Association as well as other groups that support LSC. The committee will also lobby the Supreme Court for their support of LSC providers.

Agenda Item 11. Louisiana Bar Center.

Ms. Foote and Mr. Neuner reported on the status of discussions with the Louisiana Bar Foundation regarding the Bar Center lease and related issues. Mr. Neuner indicated that the committee was evaluating several options and would present a recommendation at the November meeting of the Board.

Agenda Item 12. Past President's Room.

Mr. Connor reviewed the recommendations of the committee and a motion was made to renovate the room and to authorize staff to evaluate and develop the mechanics of such an operation. The motion was approved.

Agenda Item 13. Membership Software Replacement.

Ms. Topey informed the Board that a consultant was hired to assist in analyzing the needs of the association and software that would meet those needs. Seven products were researched and it is recommended that the Board approve the proposal provided by Euclid. The financial outlay for the replacement software would be \$160,000 which would include the purchase of a new server at an approximate cost of \$7,500 to \$10,000. The Board voted to approve the contract with Euclid upon the recommendation of the Board Contract Review Committee.

Agenda Item 14. Appeal of Family Law Specialization Revocation.

Mr. Auzenne withdrew this item from discussion as the Board of Legal Specialization will be holding a hearing in October.

Agenda Item 15. Report of the Young Lawyers Section

Mr. Auzenne reported that the section will be considering participation in Operation Enduring Lamp, an ABA program that provides legal services to military personnel and their families. He reported on plans for the upcoming National High School Mock Trial Program and the ABA Young Lawyers Division Conference, both to be held in New Orleans.

Agenda Item 16. Report of the Secretary

Ms. Schnabel informed the Board that the Editorial Board was developing policies and procedures for the two association publications to assist in the transition of editors. She stated that the August Journal was at the printer and should be mailed in the very near future. Ms. Schnabel noted that the association was searching for a new Director of Communications.

Agenda Item 17. Report of the Treasurer

- a. August 23 Budget Committee Meeting.
 - i. 2001/2002 Year-end - Mr. Neuner reported that the fiscal year ended with a surplus.
 - ii. Investments – Mr. Neuner referred the committee to a report contained under tab 17 of the Board handbook.
 - iii. Amendments to FY 2002/03 Budget – The Budget Committee recommended the following amendments which were unanimously approved:
 - ◆ create income line item for Together We Can Conference in amount of \$31,000;
 - ◆ create expense line item for Together We Can Conference in amount of \$31,000;
 - ◆ create expense Database Management Software line item in amount of \$160,000;
 - ◆ increase Rent line item by \$15,000 for hiring of full-time security guard for Bar Center.
- b. 2002 Annual Meeting.

Mr. Neuner reported that Annual Meeting expenses were \$30,000 over income and noted that there was \$6,000 remaining in the Annual Meeting reserve fund.

Agenda Item 18. Report of the President-Elect

Mr. Lee informed the Board that he attended the ABA House of Delegates meeting and provided a brief report on actions taken by the Louisiana delegation during the discussion of multijurisdictional practice issues.

Mr. Lee reported that a strategic planning session would be held October 11 and 12 in New Orleans and indicated that a list of invitees was being developed. He asked that Board members contact him if they have any issues they feel should be addressed during the session.

In closing, Mr. Lee stated that the National Bar Association would be holding its annual meeting in New Orleans during the summer of 2003 and would like the association to consider providing some type of support for the meeting.

Agenda Item 19. Report of the President

- a. SCBP/NCBP Report.
President Feldman reported on the Southern Conference of Bar Presidents and National Conference of Bar Presidents meetings held in conjunction with the ABA Annual Meeting.
- b. Law School Orientations.
President Feldman reported on the professionalism programs held at each of the law schools. He felt they were successful in reaching the students and promoting the LSBA.
- c. Leadership LSBA Appointments.
President Feldman informed the Board that the first Leadership LSBA class of six had been chosen by the committee following a review of 25 applicants. They have been asked to attend at least one meeting of the Board of Governors, Executive Committee, Budget Committee, House of Delegates, LSBA committee and section. Chosen were Robert J. Burns, Jr., of Baton Rouge; H. Minor Pipes III of New Orleans; Jonathan C. Augustine of Baton Rouge; A. Jill Futch of Monroe; Robert L. Odinet of Lafayette and Susan C. Segura of Alexandria.
- d. Montreal/Quebec Bar Association Meeting.
President Feldman reported on his attendance at the Montreal and Quebec Bar Association meetings.
- e. SCBP Meeting in Key West.
President Feldman informed the Board that he would be representing the LSBA at the Southern Conference of Bar Presidents meeting in October.
- f. Red Mass/Memorial Service.
President Feldman encouraged the Board members to attend the Red Mass and Memorial Service.

- g. Ethics Advisory Service Counsel Protocol.
President Feldman informed the Board that the Ethics Advisory Service Committee would be developing a protocol for the confidentiality of the non-binding informal opinions rendered to attorneys. Recommendations will be presented to the Board once the protocol has been developed.
- h. LSBA Census.
President Feldman reported that the Chief Disciplinary Counsel approached the LSBA requesting a census of the membership to gather information on gender and ethnic origin, etc. Ms. Topey informed the Board that a census had been conducted in the past and members were opposed to providing such information. There were several questions as to which organization would be responsible for the expense of the census, what would be done with the information and how it would be collected.
- i. Request of Paris Bar Association.
The Board reviewed a request by the Paris Bar Association, The Bar of Geneva, the Vaudois Bar and the Bar of Brussels to recall the necessity to respect fundamental laws protected by the International standards for everyone arrested following the attacks of September 11, 2001. President Feldman stated that he was not inclined to sign the declaration and would so inform the Paris Bar Association when he attends their Opening of Court ceremonies in November.
- j. Proposed Bar Admissions Move.
President Feldman informed the Board that discussions had been held with the chair of the Bar Admissions Committee regarding their move from the Bar Center to the Disciplinary Board office in Metairie.
- k. Section/Committee Chair Orientation.
President Feldman reported that the orientations were well attended and that approximately 7,300 attorneys participate in sections and committees.
- l. Legal Assistance for Reservists.
President Feldman reported on Operation Enduring Lamp, a program to assist military personnel and their families should a large deployment of troops be called. The LSBA has been asked to develop a list of attorneys who would be willing to participate in the program.
- m. Other Matters.
Ms. Foote reported on the Alexandria Law School for Non-Lawyers sponsored by the LSBA in connection with the City of Alexandria's "Project ENABLE." While the speakers for the three law related seminars were very good, attendance was not high. While the city handled all of the expense and marketing, the number of attendees may require the LSBA to reevaluate the program.

Agenda Item 20. Report of the Executive Director

- a. Staff Changes.
Ms. Topey informed the Board that she was continuing the search for a Director of Communications.
- b. Status of New Positions.
Ms. Topey reported that ads would be placed for the Executive Secretary and Copy Clerk positions and that the new Director of Communications would be responsible for the hiring of a Marketing Coordinator.
- c. Bar Center Security.
Ms. Topey informed the Board that a full-time security guard had been hired following two breaches of security in the Bar Center.
- d. LCLCE Fundraiser.
Ms. Topey stated that the LCLCE would be holding a fundraiser at 5:30 p.m. on Thursday, November 7, at the Board of Trade and encouraged the Board members to make every effort to attend. She indicated that tickets would be nominally priced and available through the LCLCE office.
- e. Proposed Sexual Harassment Policy.
The Board unanimously approved the Sexual Harassment Policy as proposed.

Agenda Item 21. Other Matters.

The next meeting of the Board of Governors will be held Saturday, November 9, at the Iberville Suites Hotel in New Orleans.

There being no further business to discuss, the meeting was adjourned at 10:45 a.m.

Respectfully Submitted:

Marta-Ann Schnabel
Secretary

Date