

LOUISIANA STATE BAR ASSOCIATION
HOUSE OF DELEGATES
9 A.M. ■ WEDNESDAY, JUNE 29, 2011
WYNN LAS VEGAS

MINUTES

The House of Delegates was convened at 10:30 a.m., Wednesday, June 29, 2011, in Latour Ballroom 2 of the Wynn Las Vegas in Las Vegas, Nevada.

I. Certification of Quorum by the Secretary

After concurring with Assistant Secretary Loretta Larsen, Mr. Patterson announced that a quorum had been certified and declared the meeting to be in session. 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 since the January 2011 meeting of the House.

III. Reports of Standing Committees of the House

No oral reports were given; all reports that were in writing were submitted.

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

1. Michael A. Patterson, President

Mr. Patterson gave a report to the General Assembly.

2. James J. Davidson III, President-Elect

Mr. Davidson waived his report.

3. Carrick B. Inabnett, Secretary

Mr. Inabnett was not present.

4. Mark A. Cunningham, Treasurer

Mr. Cunningham distributed a written report.

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

There were no reports either written or oral.

VI. Other Reports

There were no other reports.

VII. Old Business

Mr. Patterson reported that consistent with the resolution adopted by the House in January 2011, the LSBA had implemented photo membership identification cards. He

further reported that members could have photos taken and cards made at no charge at the LSBA booth in the rooms adjacent to the meeting.

VIII. Approval of Minutes

Consideration of approval of the Minutes of the January 22, 2011 meeting of the House of Delegates.

The minutes were unanimously approved as presented.

IX. Elections

1. Election of three (3) members of the House of Delegates to the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association. This committee was created by a resolution adopted by the House on November 13, 1971. The committee is composed of the president, president-elect, secretary, chair of the Public Information Committee, and three (3) members designated from the membership of the House of Delegates by the House of Delegates.

Mr. Patterson then opened the floor for nomination for three members of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association. The following motions were made:

The following motion was made by C. Kevin Hayes:

“BE IT RESOLVED that Kyle A. Ferachi of the 19th Judicial District be elected a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.”

The following motion was made by Ariel A. Campos, Sr.:

“BE IT RESOLVED that Dona K. Renegar of the 15th Judicial District be elected a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.”

The following motion was made by Zebulon M. Winstead:

“BE IT RESOLVED that Zebulon M. Winstead of the 9th Judicial District be elected a member of the Special Advisory Committee to Authorize the President to Speak on Behalf of the Association.”

There being no further nominations, Mr. Patterson declared the nominations closed and declared Mr. Ferachi, Ms. Renegar and Mr. Winstead elected.

2. Election of five (5) members of the House of Delegates to serve three-year terms on

the Legislation Committee. To ensure geographically diverse representation, there shall be no more than three (3) House of Delegates representatives from a judicial district at any given time. Terms commence on July 1 immediately following the election and to end June 30, 2014.

The following were elected by secret ballot:
Donald R. Abaunza (Orleans Parish)
B. Scott Andrews (19th Judicial District)
Steven G. "Buzz" Durio (15th Judicial District)
Tricia R. Pierre (15th Judicial District)
Ronald J. Sholes (Orleans Parish)

X. Resolutions

Committee Resolutions

1. Resolution from the Bar Governance Committee to amend Article VII, Section 1 of the Articles of Incorporation of the Louisiana State Bar Association to create an additional Board of Governors district representative from Board of Governors District 5 (comprised of the Parishes of East Baton Rouge, East and West Feliciana, Livingston, St. Helena, Tangipahoa, Washington and St. Tammany)

The following motion was made by S. Guy deLaup:

"BE IT RESOLVED, that the resolution from the Bar Governance Committee proposing amendments to Article VII, Sections 1 of the Articles of Incorporation of the Louisiana State Bar Association to create an additional Board of Governors representative from Board of Governors District 5 be adopted."

The motion was seconded and adopted unanimously.

2. Resolution from the Senior Lawyers Committee and Young Lawyers Section Council, with the endorsement of the Bar Governance Committee, to:
 - Create a Senior Lawyers Division of the Louisiana State Bar Association and adopt Bylaws for same; and
 - Change name of the Young Lawyers Section to Young Lawyers Division, and amend its Bylaws to reflect this name change.

The following motion was made by Richard K. Leefe:

"BE IT RESOLVED, that the resolution from the Senior Lawyers Committee and Young Lawyers Section Council, with endorsement of the Bar Governance Committee, proposing amendments to Article VII, Section 1 and Article XI, Sections 1, 2, 3 and 4 of the Articles of Incorporation to change the name of the Young Lawyers Section to the

Young Lawyers Division, and to create a Senior Lawyers Division be adopted.”

The motion was approved.

Member Resolution

3. Resolution from 15th Judicial District Representative Steven G. “Buzz” Durio urging the Louisiana Supreme Court to adopt Rule 1.17 of the ABA Model Rules of Professional responsibility, which allows for the sale of a law practice, as Rule 1.17 of the Louisiana Rules of Professional Responsibility.

The following motion was made by Steven G. “Buzz” Durio:

“BE IT RESOLVED, that the resolution urging the Supreme Court to adopt Rule 1.17 of the ABA Model Rules of Professional Responsibility, which allows for the sale of a law practice, as Rule 1.17 of the Louisiana Rules of Professional Responsibility be adopted.”

Marta-Ann Schnabel, Past President and member of the Rules of Professional Conduct Committee, then proposed a friendly amendment that the Rules of Professional Conduct Committee be involved in developing the final language for submission to the Supreme Court.

Mr. Durio then restated his motion to incorporate Ms. Schnabel’s amendment:

“BE IT RESOLVED, that the resolution urging the Supreme Court to approve the concept of Rule 1.17 of the ABA Model Rules of Professional Responsibility, which allows for the sale of a law practice, as Rule 1.17 of the Louisiana Rules of Professional Responsibility be adopted with the caveat that the Rules of Professional Conduct Committee be involved in developing the final language for submission to the Supreme Court..”

The final motion was adopted.

Section Resolution

4. Resolution from the Alternative Dispute Resolution Section to amend its Bylaws to change the time and location of the Section’s Annual Meeting.

The following motion was made by H. Bruce Shreves on behalf of ADR Section Chair Paul W. Breaux who was not present:

“BE IT RESOLVED, that the resolution from the Alternative Dispute Resolution Section to amend its Bylaws to change the time and location of the Section’s Annual Meeting be adopted.”

The motion was adopted unanimously.

XI. Other Business

Consideration of any other business to come before the House of Delegates.

There being no further business, the meeting was adjourned at 11:00 a.m.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Loretta Larsen", written in a cursive style.

Loretta Larsen
Assistant Secretary

APPROVED BY HOUSE OF DELEGATES
JANUARY 21, 2012
NEW ORLEANS, LA

ADDENDUM TO 6/29/2011 HOD MINUTES

2011-12 HOUSE OF DELEGATES ATTENDANCE ▪ 2011 ANNUAL MEETING

FIRST JUDICIAL DISTRICT (14 seats) Parish of Caddo

PRESENT Louis R. Avallone
Claude W. Bookter, Jr.
James L. Fortson, Jr.
John R. Herzog
W. James Hill III
Richard M. John
PRESENT Kevin R. Molloy
PRESENT Marshall R. Pearce BY PROXY TO Alma S. Jones
PRESENT Keidra J. Phillips BY PROXY TO John C. Nickelson
PRESENT Nyle A. Politz
PRESENT Joseph L. Shea, Jr.
PRESENT Sheva M. Sims BY PROXY TO Elizabeth Erny Foote
Kenneth Craig Smith, Jr.
Steven R. Yancey

SECOND JUDICIAL DISTRICT (3 seats) Parishes of Bienville, Claiborne & Jackson

James E. Beal
Roy M. Lilly

THIRD JUDICIAL DISTRICT (3 seats) Parishes of Lincoln & Union

Tyler G. Storms

FOURTH JUDICIAL DISTRICT (11 seats) Parishes of Morehouse & Ouachita

Jeffrey L. DeMent
PRESENT Jeffrey D. Guerriero
Paul L. Hurd
A. Carter Mills IV
Ramsey L. Ogg
Alex W. Rankin
Arthur L. Stewart
J. Antonio Tramontana
Thomas G. Zentner, Jr.

FIFTH JUDICIAL DISTRICT (3 seats) Parishes of Franklin, Richland, & West Carroll

John Clay Hamilton
John Hoychick, Jr.

SIXTH JUDICIAL DISTRICT (2 seats) Parishes of East Carroll, Madison & Tensas

George F. Fox, Jr.

SEVENTH JUDICIAL DISTRICT (2 seats) Parishes of Catahoula & Concordia

PRESENT John C. Reeves BY PROXY TO Christopher L. Boothe
PRESENT Ann S. Siddall BY PROXY TO Virgil R. Purvis

EIGHTH JUDICIAL DISTRICT (1 seat) Parish of Winn

Kimberly Anastasia Wiley

NINTH JUDICIAL DISTRICT (7 seats) Parish of Rapides

PRESENT Ronald G. Beard BY PROXY TO Charles D. Elliott
PRESENT Robert L. Bussey
PRESENT Gwenda R. Lamb BY PROXY TO Donald T. Johson
PRESENT Alainna R. Mire
PRESENT Harold A. Murry BY PROXY TO Richard J. Arsenault
PRESENT Mark F. Vilar BY PROXY TO Kellen J. Mathews
PRESENT Zebulon M. Winstead

TENTH JUDICIAL DISTRICT (2 seats) Parish of Natchitoches

PRESENT Keenan K. Kelly
PRESENT Charles R. Whitehead, Jr. BY PROXY TO James Rex Fair, Jr.

ELEVENTH JUDICIAL DISTRICT (1 seat) Parish of Sabine

Matthew J. Couvillion

TWELFTH JUDICIAL DISTRICT (2 seats) Parish of Avoyelles

Douglas L. Bryan
PRESENT Dan B. McKay, Jr. BY PROXY TO Derrick G. "Digger" Earles

THIRTEENTH JUDICIAL DISTRICT (2 seats) Parish of Evangeline

Timmy J. Fontenot
PRESENT Allen Bruce Rozas

FOURTEENTH JUDICIAL DISTRICT (9 seats) Parish of Calcasieu

Edward K. Alexander, Jr.
PRESENT Theresa A. Barnatt BY PROXY TO Winfield E. Little, Jr.
PRESENT Brian Lee Coody BY PROXY TO Ashley N. Foret
PRESENT L. Paul Foreman BY PROXY TO Jonathan L. Johnson
PRESENT Tara B. Hawkins BY PROXY TO J. Michael Veron
PRESENT Thomas L. Lorenzi
PRESENT Larry E. Pichon BY PROXY TO Ulysses G. Thibodeaux
M. Kevin Powell
PRESENT Betty A. Raglin BY PROXY TO LaWanda B. Gibson

FIFTEENTH JUDICIAL DISTRICT (13 seats) Parishes of Acadia, Lafayette & Vermillion

PRESENT Homer Ed Barousse, Jr. BY PROXY TO Joseph C. Giglio, Jr.
PRESENT Ariel A. Campos, Sr.
PRESENT Dean A. Cole BY PROXY TO Franchesca L. Hamilton-Acker

Tracy P. Curtis
PRESENT Blake R. David BY PROXY TO Andre Doguet
PRESENT Steven G. "Buzz" Durio
Helen Popich Harris
PRESENT Matthew J. Hill, Jr. BY PROXY TO John E. "Jack" McElligott, Jr.
PRESENT Joseph R. Oelkers III
PRESENT Tricia R. Pierre
PRESENT Dona K. Renegar
PRESENT Jeffrey A. Riggs BY PROXY TO Charles William Montz, Jr.
PRESENT Michael D. Skinner BY PROXY TO Cynthia K. Simon

SIXTEENTH JUDICIAL DISTRICT (8 seats) Parishes of Iberia, St. Martin & St. Mary

PRESENT Adolph B. Curet III BY PROXY TO James R. McClelland
Eric P. Duplantis
Pamela Ann Lemoins
Marsha McNulty
Andrew Reed
PRESENT Maggie T. Simar
Anne G. Stevens
PRESENT Dennis R. Stevens BY PROXY TO David H. Stiel III

SEVENTEENTH JUDICIAL DISTRICT (5 seats) Parish of Lafourche

Matthew Ferdinand Block
PRESENT Daniel A. Cavell
Annette M. Fontana
Robert M. Pugh
Nicholas J. Zeringue

EIGHTEENTH JUDICIAL DISTRICT (4 seats) Parishes of Iberville, Pointe Coupee & West Baton Rouge

PRESENT Felicia F. Davis
PRESENT John Wayne Jewell
Audrey A. McCain
Francis A. Smith, Jr.

NINETEENTH JUDICIAL DISTRICT (21 seats) Parish of East Baton Rouge

PRESENT B. Scott Andrews BY PROXY TO John C. Walsh
PRESENT Michael P. Bienvenu BY PROXY TO Trudy M. White
PRESENT James E. Boren BY PROXY TO Chris E. Hebert
PRESENT Dana B. Brown
PRESENT Stephen E. Broyles BY PROXY TO Laura H. Bryan
PRESENT Celia R. Cangelosi
PRESENT Preston J. Castille, Jr. BY PROXY TO Laranda Moffett Walker
PRESENT Jack M. Dampf BY PROXY TO Darrell J. Papillion
PRESENT Kyle A. Ferachi
PRESENT Michael D. Ferachi BY PROXY TO Jean-Paul Perrault

PRESENT Frank A. Fertitta BY PROXY TO Joseph E. Cullens, Jr.
PRESENT C. Kevin Hayes
PRESENT C. Frank Holthaus
PRESENT Stephen M. Irving BY PROXY TO Michael L. Cave
PRESENT Jay M. Jalenak, Jr. BY PROXY TO Adrian G. Nadeau
Robert M. Marionneaux, Jr.
PRESENT Michael W. McKay
PRESENT Glen R. Petersen
PRESENT David Abboud Thomas
PRESENT Jack K. Whitehead, Jr. BY PROXY TO Robert R. Rainer
PRESENT Kathy M. Wright BY PROXY TO Christine Lipsey

TWENTIETH JUDICIAL DISTRICT (2 seats) Parishes of East Feliciana & West Feliciana
Samuel Christopher D'Aquila
Michael L. Hughes

TWENTY-FIRST JUDICIAL DISTRICT (9 seats) Parishes of Livingston, St. Helena & Tangipahoa

PRESENT Mary E. Heck Barrios BY PROXY TO Burrell J. Carter
Erik L. Burns
Anthony Tood Caruso
Douglas T. Curet
PRESENT Steven J. Farber
Jay J. Harris
PRESENT D. Blayne Honeycutt BY PROXY TO Robert W. Morgan
Brian D. Lenard
PRESENT Carolyn F. Ott

TWENTY-SECOND JUDICIAL DISTRICT (12 seats) Parishes of St. Tammany & Washington

Elizabeth A. Alston
Eric K. Buerger
William Harvell Burris
Olivier Provosty Carriere II
PRESENT Keith M. Couture
PRESENT Gino Ronald Forte BY PROXY TO Barbara Stavis Wolfe
PRESENT Gordon Timothy Herrin
Michael E. Holoway
Robert C. Lehman
John W. Lindner II
J. Kevin McNary
PRESENT Peggy G. Vallejo BY PROXY TO Henry J. Miltenberger, Jr.

TWENTY-THIRD JUDICIAL DISTRICT (5 seats) Parishes of Ascension, Assumption & St. James

PRESENT Christopher J. Bridges
Lana O. Chaney
PRESENT Michael J. Poirrier
PRESENT Timothy E. Pujol

TWENTY-FOURTH JUDICIAL DISTRICT (19 seats) Parish of Jefferson

PRESENT Raylyn Reine Beevers BY PROXY TO Tyler B. Sarver
PRESENT Conrad A. Buchler BY PROXY TO Michael G. Calogero
PRESENT Robert J. Caluda
PRESENT Thomas Christopher Cerullo BY PROXY TO Stephen I. Dwyer
PRESENT Christy M. Howley Connois BY PROXY TO Christopher Lee Boothe
PRESENT Sandra K. Cosby
PRESENT Mickey S. deLaup
PRESENT S. Guy deLaup
PRESENT Geralyn P. Garvey BY PROXY TO Marc E. Johnson
PRESENT Robert A. Kutcher
PRESENT John J. Lee, Jr.
PRESENT Robert A. McMahon, Jr. BY PROXY TO Michael P. Mentz
PRESENT Scott W. McQuaig BY PROXY TO Patricia M. Franz
PRESENT Bryan A. Pfleeger
PRESENT Roy A. Raspanti BY PROXY TO William C. "Chuck" Credo III
PRESENT George B. Recile BY PROXY TO Richard K. Leefe
PRESENT Thomas F. Schexnayder
PRESENT Mettery I. Sherry, Jr. BY PROXY TO Kurt S. Blankenship
PRESENT Tina Louise Suggs

TWENTY-FIFTH JUDICIAL DISTRICT (2 seats) Parish of Plaquemine

Dominick Scandurro, Jr.
PRESENT Michele Magill Smith

TWENTY-SIXTH JUDICIAL DISTRICT (6 seats) Parishes of Bossier & Webster

PRESENT John Zachary Blanchard, Jr.
Amanda J. Hulett
Patrick R. Jackson
PRESENT Jason W. Poe
Ross E. Shacklette
David M. Touchstone

TWENTY-SEVENTH JUDICIAL DISTRICT (4 seats) Parish of St. Landry

PRESENT Francis A. Olivier III BY PROXY TO Berryl Gordon Thompson
John L. Olivier
Jacque B. Pucheu, Jr.
Randy Wagley

TWENTY-EIGHTH JUDICIAL DISTRICT (1 seat) Parish of LaSalle

TWENTY-NINTH JUDICIAL DISTRICT (3 seats) Parish of St. Charles

PRESENT Steven F. Griffith, Sr.
Gregory A. Miller
Robert L. Raymond

THIRTIETH JUDICIAL DISTRICT (3 seats) Parish of Vernon

Elizabeth Brummet Carr
David James Klann
Lisa Kay Nelson

THIRTY-FIRST JUDICIAL DISTRICT (1 seat) Parish of Jefferson Davis

PRESENT Richard M. Arceneaux BY PROXY TO David E. Marcantel

THIRTY-SECOND JUDICIAL DISTRICT (5 seats) Parish of Terrebonne

PRESENT Charles C. Bourque, Jr.
Kassie L. Hargis
Patricia P. Reeves-Floyd

THIRTY-THIRD JUDICIAL DISTRICT (2 seats) Parish of Allen

Mary Hebert Holmes
Michael Bruce Holmes

THIRTY-FOURTH JUDICIAL DISTRICT (5 seats) Parish of St. Bernard

PRESENT Alan G. Bouterie BY PROXY TO Michael C. Ginart, Jr.
Roberta L. Burns
Tracy Helen Duplantier
Gregory J. Noto
PRESENT Paul A. Tabary III

THIRTY-FIFTH JUDICIAL DISTRICT (1 seat) Parish of Grant

Joseph P. Beck III

THIRTY-SIXTH JUDICIAL DISTRICT (2 seats) Parish of Beauregard

THIRTY-SEVENTH JUDICIAL DISTRICT (1 seat) Parish of Caldwell

James E. Mixon

THIRTY-EIGHTH JUDICIAL DISTRICT (1 seat) Parish of Cameron

THIRTY-NINTH JUDICIAL DISTRICT (1 seat) Parish of Red River

John Q. Davis

FORTIETH JUDICIAL DISTRICT (3 seats) Parish of St. John the Baptist

Daniel E. Becnel, Jr.
William D. O'Regan III
PRESENT Richard B. Stricks BY PROXY TO Paula A. Ates

PARISH OF ORLEANS (33 seats)

PRESENT Donald R. Abaunza
PRESENT Glenn B. Adams BY PROXY TO Dorothy H. Wimberly
PRESENT Brent B. Barriere BY PROXY TO Susie Morgan
PRESENT Francis J. Barry, Jr.
PRESENT Ashley L. Belleau BY PROXY TO Mark A. Cunningham
PRESENT Jack C. Benjamin, Jr. BY PROXY TO Kim M. Boyle
PRESENT Andrew A. Braun BY PROXY TO Stephanie D. Skinner
PRESENT Patrick D. Breeden BY PROXY TO David F. Bienvenu
PRESENT Joseph M. Bruno BY PROXY TO Jackie M. McCreary
PRESENT Thomas A. Casey, Jr. BY PROXY TO Barry H. Grodsky
PRESENT Paul B. Deal BY PROXY TO Sherman G. Fendler
PRESENT Richard B. Eason II BY PROXY TO Joseph A. Barreca
PRESENT Val P. Exnicios BY PROXY TO Aimee A. Scheuermann
PRESENT William R. Forrester, Jr.
PRESENT Darryl J. Foster
PRESENT Judith A. Gainsburgh BY PROXY TO Larry Feldman
PRESENT James C. Gulotta, Jr.
PRESENT Philip K. Jones, Jr.
PRESENT David W. Leefe
PRESENT Ryan M. McCabe
PRESENT André J. Mouledoux
PRESENT Brian P. Quirk BY PROXY TO Sarah E. Stogner
PRESENT Louis Gravois Schott
PRESENT Karen Baumgarten Sher
PRESENT Ronald J. Sholes
PRESENT John A. Stassi II
PRESENT Patrick A. Talley BY PROXY TO Marta Ann Schnabel
PRESENT Irving J. Warshauer BY PROXY TO H. Minor Pipes III
PRESENT Edward Dirk Wegmann
Walter I. Willard
PRESENT Phillip A. Wittmann
PRESENT Sharonda R. Williams BY PROXY TO Monica Hof Wallace
PRESENT Jay C. Zainey, Jr.

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

**LOUISIANA STATE BAR ASSOCIATION
BAR GOVERNANCE COMMITTEE RESOLUTION**

COMPOSITION OF THE BOARD OF GOVERNORS

WHEREAS, the composition of the Louisiana State Bar Association Board of Governors is set forth in the Association's Articles of Incorporation; and

WHEREAS, the Board is comprised of twenty-two (22) voting members including the following Board district representatives:

- Two representatives from District One – Parish of Orleans; and
- One representative from each of the following districts:
 - District Two – Parishes of Jefferson, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, Ascension, Assumption and St. James;
 - District Three – Parishes of Lafayette, Iberia, Lafourche, Terrebonne, St. Mary and St. Martin;
 - District Four – Parishes of Calcasieu, Cameron, Acadia, Evangeline, Jefferson Davis, St. Landry and Vermilion;
 - District Five – Parishes of East Baton Rouge, East and West Feliciana, Livingston, St. Helena, Tangipahoa, Washington and St. Tammany;
 - District Six – Parishes of Allen, Avoyelles, Beauregard, Grant, Iberville, LaSalle, Natchitoches, Pointe Coupee, Rapides, Sabine, Vernon, Winn and West Baton Rouge;
 - District Seven – Parishes of Caldwell, Catahoula, Concordia, East and West Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas and Union; and
 - District Eight – Parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River and Webster ; and

WHEREAS, the current composition of the Board of Governors with regard to district representatives has not been amended since at least 1972; and

WHEREAS, since Hurricane Katrina in 2005 we have seen a significant shift in lawyer population, resulting in a decrease in the number of lawyers in District 1 and an increase in the number of lawyers in District 5; and

WHEREAS, current lawyer population by district is:


- District 1 – 5,247
- District 2 – 2,776
- District 3 – 1,766
- District 4 – 868
- District 5 – 4,811
- District 6 – 892
- District 7 – 657
- District 8 – 1,088; and

WHEREAS, the Bar Governance Committee believes these counts justify an additional Board representative from District 5.

NOW THEREFORE BE IT RESOLVED, that the House of Delegates approve the proposed amendments to Article VII, Section 1 of the Articles of Incorporation of the Louisiana State Bar Association to create an additional Board of Governors district representative from Board of Governors District 5, as set forth in the attached Appendix A; and

BE IT FURTHER RESOLVED, that if these amendments are approved by the House of Delegates, Board of Governors and membership at large, the first election for this position shall be held during FY 2013/2014 for a term which begins at the close of the 2014 Annual Meeting and ends at the close of the 2017 Annual Meeting.

Respectfully Submitted by:
S. Guy deLaup, Chair



On Behalf of LSBA BAR GOVERNANCE COMMITTEE:

Beth E. Abramson	Jay M. Jalenak
Richard L. Becker	W. Jay Luneau
Robert L. Bussey	Yolanda Denise Montgomery
Joseph L. Caverly	John H. Musser IV
Paula Hartley Clayton	Charles M. Raymond
Val P. Exnicios	Jeffrey A. Riggs
Trent A. Garrett, Sr.	Valerie T. Schexnayder
Edmund J. Giering IV	Patrick A. Talley, Jr.
Barry H. Grodsky	Sharonda R. Williams
Franchesca Hamilton-Acker	Phillip A. Wittmann
C. Kevin Hayes	

APPROVED BY HOUSE OF DELEGATES
JUNE 29, 2011

APPROVED BY BOARD OF GOVERNORS
JUNE 30, 2011

APPENDIX A

ARTICLES OF INCORPORATION OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE VII. BOARD OF GOVERNORS

Section 1. Administration - Composition of Board - Eligibility

The Board of Governors is vested with the administration of the affairs of the Association as are granted to it by these Articles of Incorporation or as may be directed to it by the House of Delegates. The Board of Governors shall consist of ex-officio members, at-large members and elected members. The ex-officio members shall be the President, the President-Elect, the Secretary, the Treasurer, the Immediate Past President, and the Chair of the Young Lawyers Section, and the House of Delegates Liaison. There shall be three (3) at-large members appointed by the President-Elect with the approval of the Board of Governors. The ex-officio members and the at-large members shall have the same rights and privileges as the elected members. The elected members shall be the representative from the Council of the Louisiana State Law Institute and the faculty members selected from the faculties of the Louisiana law schools as set forth in Section 4 of Article VI of the Articles, and ~~nine-ten (10)~~ members elected from Board of Governors Districts as follows: District One (composed of the Parish of Orleans), two (2) members; District Two (composed of the Parishes of Jefferson, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, Ascension, Assumption and St. James), one (1) member; District Three (composed of the Parishes of Lafayette, Iberia, Lafourche, Terrebonne, St. Mary and St. Martin), one (1) member; District Four (composed of the Parishes of Calcasieu, Cameron, Acadia, Evangeline, Jefferson Davis, St. Landry and Vermilion), one (1) member; District Five (composed of the Parishes of East Baton Rouge, East and West Feliciana, Livingston, St. Helena, Tangipahoa, Washington and St. Tammany), ~~one (1)~~two (2) members; District Six (composed of the Parishes of Allen, Avoyelles, Beauregard, Grant, Iberville, LaSalle, Natchitoches, Pointe Coupee, Rapides, Sabine, Vernon, Winn and West Baton Rouge), one (1) member; District Seven (composed of the Parishes of Caldwell, Catahoula, Concordia, East and West Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas and Union), one (1) member; and District Eight (composed of the Parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River and Webster), one (1) member. The ~~nine (9)~~ten (10) members of the Board of Governors Districts shall be elected by a secret ballot, under such procedures as the Board of Governors may fix, by the active and faculty members of the Association, residing in such district. Only active and faculty members in good standing who are admitted to the practice of law in Louisiana shall be eligible for membership on the Board of Governors. No member of the Board of Governors shall serve consecutive terms in the same position.

**JOINT RESOLUTION
SENIOR LAWYERS COMMITTEE
and
YOUNG LAWYERS SECTION
LOUISIANA STATE BAR ASSOCIATION**

WHEREAS, the Senior Lawyers Committee is proposing the creation of a Senior Lawyers Division and the adoption of Bylaws for that Division to facilitate membership, decision-making procedures and member participation at meetings; and

WHEREAS, the Senior Lawyers Committee is further proposing the adoption of these Bylaws to facilitate performance of the duties of the Division, and to empower the officers of the Division to serve and create an executive committee for the Division; and

WHEREAS, the Young Lawyers Section of the Louisiana State Bar Association wishes to rename itself the Young Lawyers Division, both for the sake of consistency and for the fact that it is different from the Association's voluntary sections in that all members meeting certain age and/or practice criteria are automatically members of the Young Lawyers Section.

NOW THEREFORE BE IT RESOLVED, that with the approval and endorsement of the Bar Governance Committee, the Senior Lawyers Committee and the Young Lawyers Section propose to the House of Delegates the creation of a Senior Lawyers Division and the adoption of the attached Bylaws (Appendix A) for that entity; and

BE IT FURTHER RESOLVED, that the Young Lawyers Section be renamed the Young Lawyers Division and that its Bylaws (Appendix B) be amended to reflect this name change; and

BE IT FURTHER RESOLVED, that the Association's governing documents be amended as set forth below to facilitate the creation of the Senior Lawyers Division and the renaming of the Young Lawyers Section to the Young Lawyers Division:

- Article XI, Sections 1 and 2 of the Articles of Incorporation (Appendix C) – to create Divisions within the Association's structure, to change all references to the Young Lawyers Section to the Young Lawyers Division, and to memorialize the Senior Lawyers Division; and
- Article VIII and IX of the Bylaws (Appendix D) – to create divisions within the Association's structure and to provide for the administration of same.
- Rule 1 of the Rules of Procedure of the House of Delegates (Appendix E) – to delete the reference to the Young Lawyers Section.

Respectfully Submitted by:
Senior Lawyers Committee



Richard K. Leefe, Chair
Mathilde W. Abramson

Young Lawyers Section Council



Alainna R. Mire
Shayna L. Sonnier

Lawrence J. Centola, Jr.
Richard E. Gerard, Jr.
Melanie Mabile Mulcahy
John F. Robichaux
Leslie J. Schiff
Charles S. Weems III
Phillip A. Wittmann

Lawrence J. Centola III
Melanie Mabile Mulcahy
Eve Sarco Reardon
Justin M. Chopin
Allison Leigh Becknell
Erin O. Braud
Maggie Trahan Simar
Claude P. Devall, Jr.
Kyle A. Ferachi
Christopher K. Jones
Barbara Bell Melton
Jennifer H. Johnson
Karelia R. Stewart
Franchesca Hamilton-Acker
John L. Hoffoss, Jr.
Chauntis T. Jenkins

APPROVED BY HOUSE OF DELEGATES
JUNE 29, 2011

APPROVED BY BOARD OF GOVERNORS
JUNE 30, 2011

APPENDIX A

BYLAWS OF THE SENIOR LAWYERS DIVISION OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE I NAME AND PURPOSE

Section 1. This Division shall be known as the Senior Lawyers Division of the Louisiana State Bar Association.

Section 2. The purpose of this Division is to encourage and maximize participation of senior lawyers in the operation and betterment of the Louisiana State Bar Association, while providing services and support to the senior members of the bar. The Division will provide a forum for study and discussion of senior lawyer questions arising under the laws of the State of Louisiana and the United States Constitution and offer assistance as appropriate for senior lawyers.

ARTICLE II MEMBERSHIP

Section 1. Any member of good standing of the Louisiana State Bar Association upon reaching the age of sixty-five (65) shall be enrolled as a member of the Division. Members so enrolled shall constitute the membership of this Division.

ARTICLE III OFFICERS

Section 1. The general officers of this Division shall be a Chair, Vice Chair, and a Secretary-Treasurer. The officers shall comprise the Executive Committee of the Division.

Section 2. Each officer shall be appointed by the President of the Association and shall hold office for a term of one year, to begin with the adjournment of the annual meeting of the Association and to end at the close of the next succeeding annual meeting of the Association, or until such time as a successor shall have been appointed.

ARTICLE IV DUTIES OF OFFICERS

Section 1. Chair. The Chair, or the Vice Chair in the absence of the Chair, shall preside at all meetings of the Division. The Chair shall establish such committees as are deemed necessary and appoint the committee chairs and members who are to hold office during the Chair's term. The Chair shall plan and supervise the program of the Division and the performance of all activities of the Division. The Chair shall formulate and present a report of

the work of the division for the year at each annual meeting of the Association, and shall perform such other acts as usually accompany the office.

Section 2. Vice Chair. The Vice Chair shall assist the Chair, performing such tasks as shall be assigned by the Chair. In the absence of the Chair, or upon the death, resignation or disability of the Chair, the Vice Chair shall perform the duties of the Chair for the remainder of the term of office; provided that, in the case of disability, the Vice Chair shall act only during the pendency of the disability.

Section 3. Secretary-Treasurer. The Secretary-Treasurer shall be the custodian of all books, papers, documents and other property of the Division, and shall keep a true record of the proceedings of all meetings of the Division and of the Executive Committee, whether assembled or acting under submission. With the Chair, the Secretary-Treasurer shall prepare a summary or digest of the proceedings of the Division at its annual meeting for publication in the Annual Report of the Louisiana State Bar Association. The Secretary-Treasurer, in conjunction with the Chair as authorized by the Executive Committee, shall attend generally to the business of the Division.

ARTICLE V THE EXECUTIVE COMMITTEE

Section 1. The Executive Committee of the Division shall be composed of the officers and the retiring Chair, who shall be a voting member for one year following retirement.

Section 2. The Executive Committee shall have general duties and control as necessary for the administration of the affairs of the Division subject to the provisions of the Constitution and By-Laws of the Louisiana State Bar Association and the By-Laws of this Division.

Section 3. The Executive Committee of the Division is authorized to take action in the name of the Division during intervals between meetings of the Division. All binding action of the Executive Committee shall be by majority vote of the members of the Executive Committee present at such meeting.

Section 4. The Executive Committee, during the interim between annual meetings of the Division may, with the concurrence of the Chair, fill vacancies in its own membership or in the offices of the Vice Chair, Secretary-Treasurer, and, in the event of vacancies in the offices of both Chair and Vice Chair, then also in the office of Chair. Members of the Executive Committee and officers so elected shall serve until the appointment of a new member by the President of the Association.

Section 5. Members of the Executive Committee may vote in person when physically present at a meeting of the Executive Committee or when participating by telephone, video conferencing or other electronic means. When members contemplate absence, they may communicate their vote on any proposition to the Secretary-Treasurer and have it counted with the same effect as if cast personally at such meeting.

Section 6. The Chair of the Division may submit or cause to be submitted in writing to each of the members of the Executive Committee any proposition upon which the Executive Committee may be authorized to act, and the members of the Executive Committee may vote such propositions as submitted, by communicating their vote thereon, in writing over their

respective signatures, to the Secretary-Treasurer, who shall record upon the minutes each proposition so submitted, when, how and at whose request same was submitted, and the vote of each member of the Executive Committee thereon, and keep on file such written and signed votes. If the votes of a majority of the members of the Executive Committee so recorded shall be in favor of such a proposition, or if such majority shall be against such proposition, such majority vote shall constitute the binding action of the Executive Committee. The Executive Committee of the Division may take action in the name of the Division whenever proposals are brought before the Executive Committee for an expression of views and recommendations to the Board of Governors of the Association.

ARTICLE VI MEETINGS

Section 1. Meetings of the Division may be called by the Chair upon approval of the Executive Committee, at such time and place as the Executive Committee and Chair may determine. The Division shall meet no less than twice a year, once at the annual meeting of the LSBA and once at the midyear meeting.

Section 2. The members of the Division present at any meetings shall constitute a quorum for the transaction of business, and the Division shall be bound by a majority vote of the members present at such meetings.

Section 3. Meetings of the Executive Committee will be designated by the Chair and may also be called at the request of any member of the Executive Committee.

Section 4. The Executive Committee shall meet no less than quarterly.

ARTICLE VII MISCELLANEOUS PROVISIONS

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

Section 2. All bills incurred by the Division shall, before being paid, be approved by the Chair or Vice Chair and the Secretary-Treasurer, or otherwise as the Executive Committee may direct, and checks for all disbursements shall be paid by the Association in accordance with established procedures.

Section 3. No salary or compensation shall be paid to any officer or committee member.

Section 4. These Bylaws shall become effective immediately upon approval thereof, as required by the Articles and Bylaws of the Louisiana State Bar Association.

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

ARTICLE VIII AMENDMENTS

Section 1. These Bylaws may be amended at any Annual Meeting of the Division by a majority vote of the members of the Division present and voting, provided such proposed amendment shall first have been approved by a majority of the Executive Committee, and provided further that no amendment so adopted shall become effective until approved by the House of Delegates of the Louisiana State Bar Association.

Section 2. The Executive Committee may propose amendments by majority vote of the Executive Committee. Amendments also may be proposed by submission in writing to the Executive Committee in the form of a petition signed by at least ten members of the Division in time for it to be considered by the Executive Committee at a meeting before the meeting of the Division at which it is to be voted upon. The Executive Committee shall consider the proposed amendment at said regular meeting and shall prepare recommendations thereon. The recommendations, together with a complete and accurate text of said proposed amendment, shall be disseminated to the members of the Division by the Secretary-Treasurer prior to the meeting of the Division at which they will be voted upon.

APPENDIX B
BYLAWS
OF
THE LOUISIANA STATE BAR ASSOCIATION
YOUNG LAWYERS ~~SECTION~~ DIVISION

ARTICLE I
GENERAL PROVISIONS

SECTION 1 - Qualifications of Members

Every member of the Louisiana State Bar Association (the “Association”) who has not reached the age of thirty-nine (39) years by the end of the Association’s fiscal year or who has been admitted to the practice of law for fewer than five (5) years as of the end of the ~~Section~~ Division Association’s fiscal year, whichever is later, is by virtue thereof a member (“Member”) of the Young Lawyers ~~Section~~ Division.

SECTION 2 - Governing Authority

The governing authority of the Young Lawyers ~~Section~~ Division shall be known as the Young Lawyers ~~Section~~ Division Council (the “Council”) and shall consist of a chair, a chair-elect, a secretary, an immediate past chair, and fourteen representatives (the “Representatives”), as follows:

- | | |
|------------|--|
| District 1 | (Composed of Orleans Parish) - two Members; |
| District 2 | (Composed of the Parishes of Jefferson, St. Bernard, Plaquemines, St. Charles, St. John the Baptist, Ascension, Assumption, and St. James) - two Members; |
| District 3 | (Composed of the Parishes of Lafayette, Iberia, Lafourche, Terrebonne, St. Mary, and St. Martin) - one Member; |
| District 4 | (Composed of the Parishes of Calcasieu, Cameron, Acadia, Evangeline, Jefferson Davis, St. Landry, and Vermilion) - one Member; |
| District 5 | (Composed of the Parishes of East Baton Rouge, East and West Feliciana, Livingston, St. Helena, Tangipahoa, Washington, and St. Tammany) - two Members |
| District 6 | (Composed of the Parishes of Allen, Avoyelles, Beauregard, Grant, Iberville, LaSalle, Natchitoches, Pointe Coupee, Rapides, Sabine, Vernon, Winn, and West Baton Rouge) - one Member; |
| District 7 | (Composed of the Parishes of Caldwell, Catahoula, Concordia, East and West Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, and Union) - one Member; |
| District 8 | (Composed of the Parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River, and Webster) - one Member; |
| At-Large | One ethnic minority Member (in accordance with Article II(B), Section 1, Subsection D). |
| ABA/YLD | One Member (in accordance with Article II(B), Section 1, Subsection E). |

ABA/HOD One Member (in accordance with Article III, Section 1, Subsection D).

SECTION 3 - Place of Meeting

The annual meeting of the Young Lawyers ~~Section~~ Division shall be held during the Louisiana State Bar Association's Annual Meeting at the time and place designated on the official agenda. The Council shall hold at least four (4) other regularly scheduled meetings during each year.

SECTION 4 - Attendance at Meetings

Young Lawyers ~~Section~~ Division Council Members shall attend all meetings, including the Annual Meeting, the four regularly scheduled meetings, and the Council Orientation (if applicable), in person. Any Council Member who shall miss two (2) consecutive meetings, without cause deemed adequate by the Council, shall be subject to removal by the Council, pursuant to Article II(C), Section 4 of these Bylaws. However, should exigent circumstances so require, the chair may allow a Council Member to attend by telephone at the Member's own expense.

SECTION 5 - Voting

There shall be no vote by proxy allowed at Council meetings.

ARTICLE II **OFFICERS AND REPRESENTATIVES**

ARTICLE II(A) - OFFICERS

SECTION 1 - Titles

The officers of the Young Lawyers ~~Section~~ Division shall be a chair, a chair-elect, a secretary, and an immediate past chair.

SECTION 2 - Chair

The chair shall, when present, preside at all meetings of the Young Lawyers ~~Section~~ Division and the Young Lawyers ~~Section~~ Division Council, and shall see that all orders, motions and resolutions of the Young Lawyers ~~Section~~ Division Council are carried into effect. The chair shall direct the other officers and Council Members in the performance of their duties and shall generally perform all acts incidents to the office of the chair.

SECTION 3 - Chair-elect

The chair-elect shall have such powers and shall perform such duties as shall be assigned to the chair-elect by the chair or by the Council Members. In the absence or disability of the chair, the chair-elect shall perform the duties and exercises the powers of the chair.

SECTION 4 - Secretary

The secretary shall give or cause to be given written notice of all meetings of the Council and shall attach an agenda of the meeting with said notice. The secretary shall record all the proceedings of the meetings of the Council, and shall further have such other duties as may be delegated by the chair, the chair-elect, or the Council Members.

SECTION 5 - Election of Officers

A. No voting shall be required to select the chair, as the chair-elect shall automatically succeed to this office after having served as chair-elect for a period of one year.

B. No voting shall be required to select the immediate past chair, as the chair shall automatically succeed to this office after having served as chair for a period of one year.

C. In the event the chair-elect is unable to assume the chair, a chair for the coming year shall be elected by the Council. In the event a vacancy occurs in the office of secretary, a secretary shall be elected by the Council.

D. The chair-elect and secretary of the Council shall be elected by a ballot vote of all Members of the Young Lawyers ~~Section~~ Division.

E. The Young Lawyers ~~Section~~ Division Council shall act as the nominating committee for the Young Lawyers ~~Section~~ Division for the offices of chair-elect and secretary. The Council shall submit at least one name per office to the secretary of the Louisiana State Bar Association as the nominee for the positions of chair-elect and secretary. The Council may submit as many other names for each position as it deems appropriate.

F. When the name of the nominees are sent to the secretary of the Louisiana State Bar Association, the secretary of the Council shall communicate the names and a brief biographical sketch of each nominee to the Members of the Young Lawyers ~~Section~~ Division. At the same time, the secretary of the Council shall solicit nominations from the membership of the Young Lawyers ~~Section~~ Division. The nominations shall close in conjunction with the dates adopted by the Board of Governors of the Louisiana State Bar Association in connection with the Louisiana State Bar Association general elections.

G. Any person who presents a petition for office signed by at least fifteen (15) Members of the Young Lawyers ~~Section~~ Division shall be included on the ballot.

H. The first election for officers of the Young Lawyers ~~Section~~ Division will be held in conjunction with the first general election for the Louisiana State Bar Association. The secretary of the Council shall submit to each Member with the ballots a brief biographical sketch of each candidate for the office of chair-elect and secretary. If any candidate receives more than fifty percent of the votes cast, the candidate will be declared elected. If no candidate receives more than fifty percent of the votes cast, a runoff election between the two candidates receiving the greatest percentage of the votes will be held in conjunction with any runoff of the Louisiana State Bar Association.

I. If the Young Lawyers ~~Section~~ Division Council submits only one name for any position, and if no other person qualifies for that position by the time the nominations close, the person submitted by the Council shall be declared elected to that position.

ARTICLE II(B) – REPRESENTATIVES

SECTION 1 – Selection of Representatives

A. The Representative of Districts 1 - 8 of the Young Lawyers ~~Section~~ Division Council shall be elected from each of the districts delineated in Article I, Section 2 by a ballot vote of all Members of the Young Lawyers ~~Section~~ Division of the respective districts. Nominations shall be solicited by the secretary of the Council from the membership of the Young Lawyers ~~Section~~ Division in each representative district in which elections are to be held. Nominations shall close in conjunction with the dates adopted by the Board of Governors of the

Louisiana State Bar Association in connection with the Louisiana State Bar Association general elections. Any qualified person requesting to be included on the ballot shall be included on the ballot. The election procedure for the Representatives of Districts 1 - 8 shall be as set forth in this Article II(B). If only one person qualifies for any position by the time the nominations close, that person shall be declared elected to that position.

B. Each Representative of Districts 1 - 8 shall maintain his or her preferred mailing address in a parish within the Representative's respective district.

C. If no person qualifies for one of the Representative positions, then the chair assuming office in the year in which the term begins will appoint a Representative from the district's membership.

D. After consultation with the Council, the At-Large Representative shall be appointed from among the ethnic minority Members of the Young Lawyers ~~Section~~ Division by the chair assuming office in the year in which a vacancy in the office occurs.

E. After consultation with the Council, the ABA/YLD Representative shall be appointed from American Bar Association Members of the Young Lawyers ~~Section~~ Division by the chair assuming office in the year in which a vacancy in the office occurs, unless the ABA/YLD mandates another method of selection for the ABA/YLD Representative, in which event the ABA/YLD Representative shall be selected according to the method prescribed by the ABA/YLD.

F. Elections for the Representatives from the odd numbered districts, with the exceptions of Districts 1, 2, and 5 shall be held on even years, and elections for the Representatives from even numbered districts shall be held on odd numbered years. One Representative from Districts 1, 2, and 5 shall be elected each year. The appointment of the At-Large Representative shall begin with the Annual Meeting of 1992 and shall continue without expiration, unless such expiration is passed by a two-thirds vote of the Council.

G. The ABA/HOD Representative shall be selected according to the rules promulgated by the Louisiana State Bar Association and shall be a *de facto* Member of the Council.

ARTICLE II(C) – QUALIFICATIONS FOR OFFICE, TERMS OF OFFICE, VACANCIES, AND REMOVAL

SECTION 1 – Qualifications for Office

Subject to the other requirements contained in these Bylaws, any individual who is a Member of the Young Lawyers ~~Section~~ Division when the term of office begins is eligible for election to the Council. For purposes of qualifying for office under Article II(A) and Article II(B), the preferred mailing address of the Member, as carried in the Association's membership database, shall control.

SECTION 2 – Terms of Office

A. The term of office for the chair, chair-elect, secretary and immediate past chair shall be for a period of one year running from Annual Meeting to Annual Meeting of the ~~Section~~ Division.

B. Every third year the chair-elect shall maintain his or her preferred mailing address in the parishes of Orleans, Jefferson, St. Bernard, or Plaquemines, and in the other two years the

chair-elect shall not maintain his or her preferred mailing address in the parishes of Orleans, Jefferson, St. Bernard and Plaquemines. For the year beginning at the Annual Meeting of 1978, the chair-elect shall be a resident of or actively practicing law in the parishes of Orleans, Jefferson, St. Bernard, or Plaquemines.

C. Every third year the secretary shall be a resident of or actively practicing law in the parishes of Orleans, Jefferson, St. Bernard and Plaquemines, and in the other two years, the secretary shall not be resident of or practicing law in the parishes of Orleans, Jefferson, St. Bernard and Plaquemines.

D. With the exception of the ABA/YLD and ABA/HOD Representatives, the term of office for the Representatives shall be for a period of two years running from Annual Meeting to Annual Meeting of the ~~Section~~ Division. No Representative shall be elected or appointed to any specific Representative position on the Council to serve in excess of two complete consecutive terms. Notwithstanding the foregoing, an appointment made to fill a vacancy in a position on the Council for a period less than a complete term shall not be considered a complete term.

E. The term of office and term limit of the ABA/YLD Representative and the ABA/HOD Representative are governed by the Bylaws of the American Bar Association Young Lawyers ~~Section~~ Division and the Bylaws of the American Bar Association respectively.

SECTION 3 - Vacancies in Office

Whenever, for any reason, a Council Member's seat is vacated, except as provided in Article II(A), Section 5(C), the chairperson, after consultation with the Council, shall appoint a replacement from the Section's membership for that District.

SECTION 4 – Removal for Cause

Any Council Member may be removed from office for cause, as hereinafter defined, on the two-thirds affirmative vote of a quorum of the Council Members. For the purposes of this Section, the term "cause" shall mean any of the following: (i) the Council Member's physical or mental illness rendering him/her incapable of performing duties to the Young Lawyers ~~Section~~ Division for a period of more than three consecutive months; (ii) the Council Member's absence at two (2) consecutive meetings, without cause deemed adequate by the Council; (iii) the Council Member's continued neglect or failure, after written demand, to discharge his/her duties or to obey a specific written direction from the Council; (iv) conflicts which render the Council Member incapable of fulfilling his or her duties to the Young Lawyers ~~Section~~ Division; (v) the Council Member's engaging in misconduct which is injurious to the Association; (vi) the Council Member's conviction of any felony or any crime involving moral turpitude; (vii) conduct which would seriously impair the Council Member's ability to perform his/her duties to the Young Lawyers ~~Section~~ Division or would impair the reputation of the Young Lawyers ~~Section~~ Division.

In the event of removal, such position shall be filled pursuant to Article II(C), Section 3 of these Bylaws.

ARTICLE III FUNCTIONS

SECTION 1 - Perennial Functions

A. The "Outstanding Young Lawyer" will be selected from the membership of the ~~Section~~ by a majority vote of the Council Members. Criteria for selection of "Outstanding

Young Lawyer” shall be determined by the Council and published at least three (3) months prior to the nomination deadline each year. Present or former Council Members are ineligible.

B. The “Bridging the Gap” Institute shall be conducted for the purpose of aiding the new members of the Association in making the transition from the academic atmosphere of the law school to the actual practicing of law.

C. The chair, after consultation with the Council, shall make annual appointments from the membership of the Young Lawyers ~~Section~~ Division to the Louisiana Law Institute.

D. One Member of the Young Lawyers ~~Section~~ Division shall be included in the Louisiana delegation to the House of Delegates of the American Bar Association.

E. The Young Lawyers ~~Section~~ Division shall sponsor such other programs as may be determined advisable.

SECTION 2 - Miscellaneous Functions

The Council shall engage in all other progressive activity beneficial to all inhabitants of our state in general, and in particular, to the members of the Louisiana State Bar Association.

ARTICLE IV VOTING BY MEMBERS OF THE YOUNG LAWYERS ~~SECTION~~ DIVISION

SECTION 1 – Eligibility To Vote

Each Member of the Young Lawyers ~~Section~~ Division shall be eligible to vote in any Young Lawyers ~~Section~~ Division election or other balloted matter. For purposes of voting, the preferred mailing address of the Member, as carried in the Association’s membership database, shall control.

ARTICLE V MODIFICATION OF BYLAWS

SECTION 1

The Bylaws of the Young Lawyers ~~Section~~ Division may be amended by a two-thirds vote of the Council Members at any regular or specially called meeting held by the Council.

SECTION 2

The Bylaws of the Young Lawyers ~~Section~~ Division may also be amended during the annual business meeting by a three-fourths vote of the membership of the Young Lawyers ~~Section~~ Division attending such meeting.

APPENDIX C

ARTICLES OF INCORPORATION OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE VII BOARD OF GOVERNORS

Section 1. Administration - Composition of Board - Eligibility

The Board of Governors is vested with the administration of the affairs of the Association as are granted to it by these Articles of Incorporation or as may be directed to it by the House of Delegates. The Board of Governors shall consist of ex-officio members, at-large members and elected members. The ex-officio members shall be the President, the President-Elect, the Secretary, the Treasurer, the Immediate Past President, and the Chair of the Young Lawyers ~~Section~~Division, and the House of Delegates Liaison. There shall be three (3) at-large members appointed by the President-Elect with the approval of the Board of Governors. The ex-officio members and the at-large members shall have the same rights and privileges as the elected members. The elected members shall be the representative from the Council of the Louisiana State Law Institute and the faculty members selected from the faculties of the Louisiana law schools as set forth in Section 4 of Article VI of the Articles, and nine members elected from Board of Governors Districts as follows: District One (composed of the Parish of Orleans), two (2) members; District Two (composed of the Parishes of Jefferson, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, Ascension, Assumption and St. James), one (1) member; District Three (composed of the Parishes of Lafayette, Iberia, Lafourche, Terrebonne, St. Mary and St. Martin), one (1) member; District Four (composed of the Parishes of Calcasieu, Cameron, Acadia, Evangeline, Jefferson Davis, St. Landry and Vermilion), one (1) member; District Five (composed of the Parishes of East Baton Rouge, East and West Feliciana, Livingston, St. Helena, Tangipahoa, Washington and St. Tammany), one (1) member; District Six (composed of the Parishes of Allen, Avoyelles, Beauregard, Grant, Iberville, LaSalle, Natchitoches, Pointe Coupee, Rapides, Sabine, Vernon, Winn and West Baton Rouge), one (1) member; District Seven (composed of the Parishes of Caldwell, Catahoula, Concordia, East and West Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas and Union), one (1) member; and District Eight (composed of the Parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River and Webster), one (1) member. The nine (9) members of the Board of Governors Districts shall be elected by a secret ballot, under such procedures as the Board of Governors may fix, by the active and faculty members of the Association, residing in such district. Only active and faculty members in good standing who are admitted to the practice of law in Louisiana shall be eligible for membership on the Board of Governors. No member of the Board of Governors shall serve consecutive terms in the same position.

ARTICLE XI COMMITTEES, DIVISIONS AND SECTIONS ~~–YOUNG LAWYERS~~

Section 1. Young Lawyers' ~~Section~~Division

The Board of Governors shall create a Young Lawyers' ~~Section~~Division of this Association. Every member of the Louisiana State Bar Association who has not reached the age of thirty-nine (39) years or who has been admitted to the practice of law for less than five (5) years, whichever is later, is by virtue thereof a member of the Young Lawyers' ~~Section~~Division. The ~~Section~~Division shall elect its officers and conduct its affairs subject to the approval of the Board of Governors and consistent with the provisions of these Articles of Incorporation.

Section 2. Senior Lawyers Division

The House of Delegates shall create a Senior Lawyers Division of this Association. Every member of the Louisiana State Bar Association who has reached the age of sixty-five (65) shall be a member of the Senior Lawyers Division. The Division shall elect its officers and conduct its affairs subject to the approval of the Board of Governors and consistent with the provisions of these Articles of Incorporation.

Section ~~23~~. Other Sections and Committees

The House of Delegates shall likewise create such ~~additional-~~ voluntary sections of the Association and authorize the appointment of such standing and special committees of the Association as it may deem proper. The appointment of the members of such committees ~~and sections~~ shall be made by the President of the Association with the consent of the Board of Governors; provided that the Board of Governors may create such special committees of the Association as it deems proper. Any member of this Association may become a member of any section by advising the Secretary of such section and by complying with the by-laws of the section.

Section ~~34~~. Meetings and Elections of Sections

Annual Meetings for the elections of officers and the transaction of other business of the sections shall be held by all sections at the time and place as set forth in the respective by-laws of each section, provided that said meetings shall take place before or at the time and place of the Annual Meeting of the Louisiana State Bar Association.

Officers of all sections shall take office at the adjournment of the first Annual Meeting following their election and shall serve until the adjournment of the second Annual meeting following their election. The information on the election of officers and council members shall be forwarded to the offices of the Association no later than fifteen (15) days subsequent to the Annual Meeting of the Louisiana State Bar Association.

APPENDIX D

BYLAWS OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE VIII. SECTIONS DIVISIONS

Section 1. Creation

The work of the Association and its Divisions shall be at all times in furtherance of the unity of the law as a science and in the interest of the profession and the performance of its public obligations. Consistent therewith, the following Divisions for implementing the work of the Association have been created pursuant to the Article XI of the Association's Articles of Incorporation.

(1) Young Lawyers - The purpose of this Division is to foster discussions and interchange of ideas relative to the duties, responsibilities and problems of the younger members of the legal profession in the State of Louisiana; to aid in their advancement; to encourage their interest and participation in the activities of this Association, and, in general, to further the purposes and objectives of this Association.

(2) Senior Lawyers – The purpose of this Division is to encourage and maximize participation of senior lawyers in the operation and betterment of the Louisiana State Bar Association, while providing services and support to the senior members of the bar. The Division will provide a forum for study and discussion of senior lawyer questions arising under the laws of the State of Louisiana and the United State Constitution and offer assistance as appropriate for senior lawyers.

Section 2. Membership

Association members in good standing who meet the age and practice criteria as set forth in Article XI of the Articles of Incorporation shall automatically be enrolled as members of the above Divisions.

Section 3. By-Laws

Each division shall have the power to adopt and amend its By-Laws, not inconsistent with the Articles of Incorporation and By-Laws of the Association. Such By-Laws or amendments thereto shall become effective when approved by the House of Delegates.

Section 4. Officers

The affairs of each division shall be administered by such officers, as may be provided by each division's By-Laws.

Officers and Council Members of the Young Lawyers Division shall be elected at the same time and in the same manner as other Association elections. Officers of the Senior Lawyers Division shall be appointed annually by the President of the Association.

Section 5. Reports and Meetings

Each division shall make an annual written report of its activities within 30 days of the close of the fiscal year.

Annual meetings for the transaction of business of the divisions shall be held at the time and place of the annual meeting of the Louisiana State Bar Association.

Section 6. Expenses

Division expenses shall be covered in the general budget of the Louisiana State Bar Association, as approved annually by the Board of Governors, and shall be subject to the Association's expense reimbursement policies.

ARTICLE IX. SECTIONS

~~(31) *Young Lawyers* — The purpose of this Section is to foster discussions and interchange of ideas relative to the duties, responsibilities and problems of the younger members of the legal profession in the State of Louisiana; to aid in their advancement; to encourage their interest and participation in the activities of this Association, and, in general, to further the purposes and objectives of this Association.~~

APPENDIX E

LOUISIANA STATE BAR ASSOCIATION HOUSE OF DELEGATES RULES OF PROCEDURE

Rule I MEETINGS OF THE HOUSE

7. The chairpersons of the sections of the Louisiana State Bar Association, ~~except the Young Lawyers' Section,~~ shall be ex-officio members of the House of Delegates and, as such, shall have all of the privileges as members of the House including, but not limited to, the right to vote, the right to the floor, and the right to designate a proxy.

**RESOLUTION OF THE LSBA HOUSE OF DELEGATES
TO ADOPT RULE 1.17 OF THE
AMERICAN BAR ASSOCIATION MODEL RULES OF
PROFESSIONAL CONDUCT AS RULE 1.17 OF THE LOUISIANA RULES OF
PROFESSIONAL RESPONSIBILITY**

WHEREAS, the American Bar Association Model Rules of Professional Conduct have contained Rule 1.17 regulating the practice of law and specifically applying to the sale of a law practice, copy of which is attached hereto as exhibit 1.17, since 1990; and

WHEREAS, this rule has been adopted as part of the Rules of Professional Conduct in forty (40) of these United States; and

WHEREAS, although the designation of this rule has been reserved for its adoption, Louisiana has never adopted this rule; and

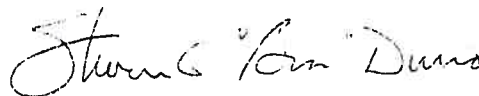
WHEREAS, the adoption of this rule would greatly benefit the practice of law by assisting and providing a vehicle for resolution of financial and other issues for transition of elderly lawyers and widowed spouses of lawyers, and in many other instances; and

WHEREAS, there is no sufficient reason of public policy or professional responsibility to deny this legitimate and well regulated legal transaction to the lawyers of Louisiana and/or their spouses and children;

THEREFORE, BE IT RESOLVED that the Association urge the Louisiana Supreme Court to adopt Rule 1.17 of the ABA Model Rules of Professional Responsibility as Rule 1.17 of the Louisiana Rules of Professional Responsibility.

Respectfully submitted,

Louisiana State Bar Association
House of Delegates



Steven G. Durio, Member,
Fifteenth Judicial District

APPROVED AS AMENDED
HOUSE OF DELEGATES
JUNE 29, 2011
LAS VEGAS, NV

APPROVED AS AMENDED
BOARD OF GOVERNORS
JUNE 30, 2011
LAS VEGAS, NV

May 23, 2011

Rule 1.17 Sale of Law Practice

A lawyer or a law firm may sell or purchase a law practice, or an area of law practice, including good will, if the following conditions are satisfied:

- (a) The seller ceases to engage in the private practice of law, or in the area of practice that has been sold, [in the geographic area] [in the jurisdiction] (a jurisdiction may elect either version) in which the practice has been conducted;
- (b) The entire practice, or the entire area of practice, is sold to one or more lawyers or law firm;
- (c) The seller gives written notice to each of the seller's clients regarding:
 - (1) the proposed sale;
 - (2) the client's right to retain other counsel or to take possession of the file; and
 - (3) the fact that the client's consent to the transfer of the client's files will be presumed if the client does not take any action or does not otherwise object within ninety (90) days of receipt of the notice.

If a client cannot be given notice, the representation of that client may be transferred to the purchaser only upon entry of an order so authorizing by a court having jurisdiction. The seller may disclose to the court in camera information relating to the representation only to the extent necessary to obtain an order authorizing the transfer of a file.

- (d) The fees charged clients shall not be increased by reason of the sale.

PROPOSED AMENDMENT TO ARTICLE VII, SECTION 1 OF THE
BY-LAWS OF THE ALTERNATIVE DISPUTE RESOLUTION SECTION

WHEREAS, the Council of the Alternative Dispute Resolution Section of the Louisiana State Bar Association held a meeting in April of 2011 to amend Article VII, Section 1 to read as follows:

“Section 1. The annual meeting of the Section shall be held in conjunction with the Section’s annual seminar or at another time as determined by the Council.”

I, the undersigned chairman of the Alternative Dispute Resolution Section of the Louisiana Bar Association, confirm that a majority of the Section’s Council members voted in favor of this amendment to the by-laws.

Respectfully Submitted:



Paul W. Breaux
Chair, ADR Section

APPROVED
HOUSE OF DELEGATES
JUNE 29, 2011
LAS VEGAS, NV

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BOARD OF GOVERNORS
JUNE 30, 2011
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