



Louisiana[®]
State Bar
Association

Serving the Public. Serving the Profession.

HOUSE OF DELEGATES
9 a.m. ■ Thursday, June 6, 2019
Sandestin Golf & Beach Resort ■ Miramar Beach, FL

MINUTES

President Barry H. Grodsky called the meeting to order at 10:40 a.m., Thursday, June 6, 2019, in the Magnolia Ballroom of the Baytowne Conference Center at Sandestin Golf & Beach Resort. Business was conducted in accordance with the agenda below.

A G E N D A

I. Certification of Quorum by the Secretary

Secretary John E. McAuliffe, Jr. certified that a quorum was present. The roll call is attached as an addendum to these minutes.

II. Recognition of Deceased Members of the House of Delegates

Mr. Grodsky reported that there were no deceased members since the January 2019 meeting.

General Session

All Committee reports were distributed in advance of the meeting via email.

III. Reports of Standing Committees of the House

There were no reports of standing committees of the House.

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

1. Barry H. Grodsky, President

Mr. Grodsky reported to the House on the accomplishments of the LSBA during the past year, and on the challenges facing mandatory bar associations.

2. Robert A. Kutcher, President-Elect

Mr. Kutcher waived his report.

3. John E. McAuliffe, Jr., Secretary

Mr. McAuliffe waived his report, noting that he had given a brief report to the

4. *General Assembly.*
Shayna L. Sonnier, Treasurer
Ms. Sonnier waiver her report, noting that she had given a brief report to the General Assembly.

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

All committee reports were distributed via email.

V. Other Reports

There were no other reports.

Activities of the House of Delegates

VII. Approval of Minutes

Consideration of approval of the Minutes of the January 19, 2019 Meeting of the House of Delegates, held in Baton Rouge.

Upon motion by Ann S. Siddall, 7th Judicial District, and second by Val P. Exnicios, Class Action, Mass Torts and Complex Litigation Section, the House unanimously approved the minutes as presented.

VIII. Old Business

There was no old business to come before the House.

IX. Elections

Legislation Committee

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

Eight (8) candidates qualified for the five available positions. Paper ballots were prepared and distributed to House members, who were required to turn the ballots in to staff members prior to the adjournment of the House. The following HOD members were elected:

- *Charles C. Bourque, Jr., 32nd Judicial District*
- *Sandra K. Cosby, 24th Judicial District*
- *Val P. Exnicios, 41st Judicial District*
- *Keenan K. Kelly, 10th Judicial District*
- *Ann S. Siddall, 7th Judicial District*

Louisiana Bar Foundation Board of Directors

2. Election of a member of the Louisiana State Bar Association House of Delegates to serve ex-officio as a member of the Board of Directors of the Louisiana Bar Foundation for a three-year term beginning 2019 and ending 2022. This individual must be a Fellow of the Louisiana Bar Foundation.

H. Minor Pipes III, 41st Judicial District by proxy, nominated 32nd Judicial District Delegate Charles C. Bourque, Jr., which nomination was seconded by Jeffrey A. Riggs, 15th Judicial District. The House elected Mr. Bourque by acclamation.

X. Resolutions

Committee Resolution

1. Resolution from the Criminal Justice Committee to amend the committee's mission statement to better reflect the broader scope of the committee's work and the participation of prosecution, law enforcement, department of corrections, and other agencies represented in the criminal justice system on the Committee.
Criminal Justice Committee Chair Graham L. Bosworth introduced the resolution, after which adoption was moved and seconded. The House unanimously approved the resolution.

Member Resolutions

2. Resolution from Jeffrey A. Riggs of the 15th Judicial District seeking to amend the Articles of Incorporation and Rules of Procedure of the House of Delegates to provide that:
 - The senior in tenure member of the Liaison Committee be designated the House of Delegates Liaison to the Board of Governors; and
 - In the event the House of Delegates Liaison is not in attendance at any meeting of the Board of Governors, the next senior in tenure member be allowed to vote on behalf of the Liaison Committee.

Mr. Riggs introduced the resolution and moved its adoption, which motion was seconded. Mr. Grodsky called upon Bar Governance Committee Chair Darrel J. Papillion, who reported that the committee had reviewed the resolution and voted to oppose the senior member serving as chair and to support the voting provision.

Shayna L. Sonnier, 14th Judicial District by proxy, spoke against the resolution, noting that she was opposed to the senior member serving as chair.

Shayna Beevers Morvant, 24th Judicial District, moved to divide the resolution and vote on the two issues separately, which motion was seconded by Shannon Seiler Dartez, 15th Judicial District by proxy. The House approved and the resolution was divided.

The following members spoke as indicated:

- *Robert A. Kutcher, 24th Judicial District by proxy – against senior member serving as chair*
- *Ms. Dartez – against senior member serving as chair and for voting provision;*
- *Bradley J. Tate, 41st Judicial District, against senior member serving as chair.*

The question was called on the senior member serving as chair and it FAILED by voice vote.

The question was called on the voting provision and it was unanimously APPROVED by voice vote.

3. Resolution from Shayna Beevers Morvant of the 24th Judicial District seeking to suspend the Legislation Committee and its related activities pending the outcome of *Fleck* and other mandatory bar litigation.

Ms. Morvant introduced and moved adoption of an amended version of the resolution, which read as follows:

BE IT RESOLVED THAT the LSBA's Legislation Committee and all related activities thereof be suspended until the Midyear Meeting of the House of Delegates in January 2020, at which time the committee will be reactivated.

Mr. Grodsky called upon Mr. Papillion, who reported that the Bar Governance Committee had reviewed the resolution prior to being amended but advised that the amendment did capture the spirit of the committee's discussion

Lynn Luker, Civil Law and Litigation Section, seconded the motion. The question was called and the House APPROVED the resolution as amended.

4. Resolution from Keenan K. Kelly of the 10th Judicial District seeking to amend the Articles of Incorporation to require a vote in excess of three-fourths of the required numerical quorum of the House of Delegates to adopt a position on pending legislation. *Mr. Kelly introduced and moved adoption of an amended version of the resolution, which read as follows:*

Section 6. Voting

Each resolution presented to the House for passage shall be adopted by the House if it shall pass by a vote of a majority of those present and voting, provided, however, that any resolution of the House of Delegates having to do with the position of the Association shall require a vote in excess of three-fourths of the required numerical quorum of the House of Delegates.

The following members spoke as indicated:

- *Mr. Papillion, who reported that the Bar Governance Committee supported the resolution as amended*
- *Evan Bergeron, 41st Judicial District – oppose*
- *Ms. Luker – support*
- *Marta-Ann Schnabel, Past President – posed question about whether the resolution really addressed the issue at hand, as votes of the Legislation Committee require only a simple majority*
- *Richard K. Leefe, Past President and 24th Judicial District – support*

- *J. Paul Ramage, Jr., 21st Judicial District – stated his opposition as he believed that language should read “three-fourths of House of Delegates” rather than “three-fourths of quorum”*
- *Ms. Siddall – support*
- *Mr. Exnicios - support*
- *Mr. Papillion spoke again at Mr. Grodsky’s request and clarified that the resolution as amended would apply to action setting House of Delegates policy and not to specific matters pending before the Legislation Committee.*

Mr. Kelly clarified that this resolution addresses only how the House of Delegates operates and not how the Legislation Committee operates. He added that adoption of the resolution would merely allow this matter to be sent to the full LSBA membership for vote, as it involved an amendment to the Articles of Incorporation.

Mr. Riggs moved to amend the language of the resolution to add the phrase “the adoption of a” after the words “having to do with” and before the words “position of the Association.” There being no second, the motion was not considered.

Phillip A. Wittman, 41st Judicial District, moved to table, which motion was seconded. After consultation with the parliamentarian, Mr. Grodsky declared this motion out of order and advised he would entertain a motion to move consideration to another date. Mr. Wittmann made the motion to move consideration of the resolution to the 2020 Midyear Meeting, which motion was seconded. Mr. Grodsky then invited members to speak on only the motion to move to January 2020. The following members spoke as indicated:

- *Mr. Kelly - opposed motion to suspend until January*
- *Mr. Kutcher – opposed motion to suspend until January*
- *Ms. Luker – opposed motion to suspend until January*
- *Mr. James E. Boren, 19th Judicial District – supported motion to suspend until January*

Mr. Pipes called the question, which motion was seconded. A voice vote was taken and the motion to suspend until January 2020 FAILED.

The question was called on the original motion, which motion was seconded. A voice vote was taken and the House APPROVED the motion to amend the Articles of Incorporation as presented by Mr. Kelly.

XI. Other Business

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

Mr. Grodsky announced that there were two late-filed resolutions, both of which had been emailed to the House last week.

A motion to suspend the House rules was made and seconded. A House member requested a vote by show of hands, which vote was taken. The hand vote showed support in excess of the

required two-thirds and the rules were suspended to consider the resolution from the Transitioning Lawyers Committee.

5. Resolution from Transitioning Lawyers Committee seeking creation of “Emeritus” as a new membership status.

Transitioning Lawyers Committee Chair Richard K. Leefe introduced the resolution and moved its adoption, which motion was seconded by Mr. Exnicios. The question was called and the House APPROVED the resolution.

Via voice vote, the House voted by the required two-thirds vote to suspend its rules to consider the resolution from the Intellectual Property Law Section.

6. Resolution from Intellectual Property Law Section seeking to amend its Bylaws.

Intellectual Property Law Section Chair Micah J. Fincher introduced the resolution and moved its adoption, which motion was seconded by Mr. Riggs and unanimously APPROVED by the House.

After determining there was no further business to come before the House, Mr. Grodsky thanked the House members for their service and attention.

There being no further business, the meeting was adjourned at 12:25 p.m.

Respectfully submitted:



John E. McAuliffe, Jr.
Secretary

**APPROVED BY HOUSE OF DELEGATES
JANUARY 18, 2020
BATON ROUGE, LA**

**ADDENDUM
2019-2020 HOUSE OF DELEGATES
2019 ANNUAL MEETING**

FIRST JUDICIAL DISTRICT (14 seats) Parish of Caddo

Claude W. Bookter, Jr.
Clinton M. Bowers
James L. Fortson, Jr.
PRESENT Stephen Christopher Fortson BY PROXY TO David R. Taggart
Daryl Gold
W. James Hill III
Richard M. John
PRESENT Lauren Bianca McKnight BY PROXY TO Senae Hall
PRESENT Amy Michelle Perkins BY PROXY TO Monique Metoyer
Nyle A. Politz
PRESENT Joseph L. Shea, Jr.
Kenneth Craig Smith, Jr.
Scott R. Wolf
Paul L. Wood

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

Tammy G. Jump

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

Paul Heath Hattaway
Albert Carter Mills IV
Tyler G. Storms

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

Martin Shane Craighead
PRESENT Dianne L. Hill
Daniel J. Hunter
Marcus L. Hunter
PRESENT Robert S. Noel II
Ramsey L. Ogg
Dayna Michelle Ryan
Arthur L. Stewart
William Michael Street
Peggy J. Sullivan
Thomas G. Zentner, Jr.

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

PRESENT John Clay Hamilton
PRESENT John Hoychick, Jr.
Matthew Kyle Moore

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

PRESENT Kenneth A. Brister
George F. Fox, Jr.

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

PRESENT Joseph A. Boothe
PRESENT Ann S. Siddall

EIGHTH JUDICIAL DISTRICT (1 seat) Parish of Winn

PRESENT Justin Keith Gates

NINTH JUDICIAL DISTRICT (7 seats) Parish of Rapides

PRESENT Charles D. Elliott
PRESENT Alainna R. Mire
PRESENT Harold A. Murry
Amani C. Perkins
Richard A. Rozanski
PRESENT David M. Williams
PRESENT Zebulon M. Winstead BY PROXY TO Edward Tarpley

TENTH JUDICIAL DISTRICT (2 seats) Parish of Natchitoches

PRESENT Keenan K. Kelly
Richard Bray Williams

ELEVENTH JUDICIAL DISTRICT (1 seat) Parish of Sabine

Rebecca Riall

TWELFTH JUDICIAL DISTRICT (2 seats) Parish of Avoyelles

Douglas L. Bryan
Dan B. McKay, Jr.

THIRTEENTH JUDICIAL DISTRICT (2 seats) Parish of Evangeline

Abby Bergeron Landreneau
Christopher Ludeau

FOURTEENTH JUDICIAL DISTRICT (9 seats) Parish of Calcasieu

PRESENT Theresa A. Barnatt BY PROXY TO Daniel L. Lorenzi
PRESENT Cade R. Cole
PRESENT L. Paul Foreman
PRESENT Thomas L. Lorenzi
Robert C. McCorquodale
John F. Robichaux
PRESENT Michael H. Schwartzberg
PRESENT Chantell Marie Smith BY PROXY TO Joey Williams
Kenneth M. Wright

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

Steven G. Durio
Chase J. Edwards
PRESENT Valerie Gotch Garrett BY PROXY TO Orida Edwards
Scott F. Higgins
Matthew J. Hill, Jr.
Katherine L. Hurst
Andrew B. Mims
Donovan J. O’Pry II
PRESENT Joseph R. Oelkers III
PRESENT Jeffrey A. Riggs
PRESENT Michael D. Skinner BY PROXY TO J. Davidson
PRESENT Dwazendra J. Smith
PRESENT Juliette B. Wade BY PROXY TO Shannon S. Dartez

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

Adolph B. Curet III
Eric P. Duplantis
Pamela A. Lemoins
Marsha McNulty
Andrew Reed
Maggie T. Simar
Anne G. Stevens
Dennis R. Stevens

SEVENTEENTH JUDICIAL DISTRICT (5 seats) Parish of Lafourche

Marla Mitchell Abel
William N. Abel
PRESENT Daniel A. Cavell
Robert M. Pugh
Nicholas J. Zeringue

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

John Lane Ewing, Jr.
Stephen P. Jewell
PRESENT Deidre Deculus Robert
David M. Tubbs

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

B. Scott Andrews
PRESENT Kelly E. Balfour BY PROXY TO Marco Marjanovich
PRESENT Jesse H. Bankston, Jr.
PRESENT Valerie B. Bargas
PRESENT Jim E. Boren
PRESENT Dana B. Brown

PRESENT Douglas J. Cochran
PRESENT Jean M. Faria BY PROXY TO Taryn Branson
Frank A. Fertitta
PRESENT Jack Pascal Harrison
PRESENT Christopher B. Hebert
PRESENT C. Frank Holthaus BY PROXY TO Valerie Schexnayder
Jay M. Jalenak, Jr.
PRESENT Susan W. Manuel
PRESENT Adrian G. Nadeau
PRESENT Julie Baxter Payer BY PROXY TO Edward Walters
PRESENT Lynette Roberson BY PROXY TO Brittany Yoes
Mary E. Roper
PRESENT David Abboud Thomas
PRESENT Mary Ann M. White BY PROXY TO Caroline Tomeny Bond
PRESENT Jack K. Whitehead, Jr. BY PROXY TO Carrie LeBlanc Jones

TWENTIETH JUDICIAL DISTRICT (2 seats) Parishes of East Feliciana & West Feliciana

PRESENT Samuel Christopher D'Aquilla
Stewart B. Hughes

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

PRESENT Mary E. Heck Barrios
Erik L. Burns
Anthony Todd Caruso
Steven J. Farber
Colt Justin Fore
Ivy Landry Graham
D. Blayne Honeycutt
PRESENT Robert W. Morgan
PRESENT Joseph Paul Ramage, Jr.

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

Clayton J. Borne IV
PRESENT Ben E. Clayton
PRESENT Joshua P. Clayton
Carole G. Gillio
Debra Kay Henkels
Richard G. Higgins, Jr.
PRESENT Andrew B. Joyner
PRESENT Robert C. Lehman
R. Bradley Lewis
PRESENT Patrice W. Oppenheim BY PROXY TO Hank Miltenberger
PRESENT Todd C. Taranto
PRESENT Amy C. Yenari

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

Christopher J. Bridges
Lana O. Chaney
Michael J. Poirrier
Timothy E. Pujol
Lesia H. Warren

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

Jason D. Asbill
PRESENT Simone B. Boustead BY PROXY TO Steven Dwyer
PRESENT Thomas C. Cerullo
PRESENT Sandra K. Cosby
PRESENT S. Guy deLaup
Edwin R. Fleischmann, Jr.
PRESENT Paul C. Fleming, Jr. BY PROXY TO Graham Bosworth
Christy M. Howley
Adrian F. LaPeyronnie III
PRESENT Richard K. Leefe
PRESENT Robert L. Marrero
PRESENT Betty Ann Maury
PRESENT Scott W. McQuaig
PRESENT Shayna Beevers Morvant
PRESENT John R. Poole, Jr.
Roy A. Raspanti
PRESENT Tina Louise Suggs
PRESENT Colby F. Wenck
PRESENT Tiffany Scot Wilken

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

S. Jacob Braud
Dominick Scandurro, Jr.

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

John Zachary Blanchard, Jr.
PRESENT Amanda J. Hulett BY PROXY TO John Slattery
Ingrid J. James
Lance G. Mosley II
Ross E. Shacklette
PRESENT Aaron R. Wilson

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

Scherri N. Guidry
PRESENT Francis A. Olivier III
Randy Wagley

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

PRESENT Kamra S. Craig

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

PRESENT Paula Adams Ates

PRESENT Don Paul Landry

PRESENT Joseph B. Rochelle

THIRTIETH JUDICIAL DISTRICT (3 seats) Parish of Vernon

D. Wayne Bush

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

PRESENT Richard M. Arceneaux

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

James Christopher Erny

PRESENT Teresa D. King

PRESENT Patricia P. Reeves-Floyd

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

Mary Hebert Holmes

Michael B. Holmes

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

Elizabeth Borne

Roberta L. Burns

Gregory J. Noto

Gregory W. Rome

Paul A. Tabary III

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

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

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

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

PRESENT Robert James Sheffield, Jr.

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

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

PRESENT Vercell F. Fiffie

William D. O'Regan III

Richard B. Stricks

FORTY-FIRST JUDICIAL DISTRICT (32 seats) Parish of Orleans

PRESENT Glenn B. Adams
PRESENT Francis J. Barry, Jr.
PRESENT Ashley L. Belleau BY PROXY TO Ben Kadden
PRESENT Alicia M. Bendana
PRESENT Jack C. Benjamin, Jr. BY PROXY TO Scott Sternberg
PRESENT Evan J. Bergeron
PRESENT Terrel J. Broussard
PRESENT Thomas A. Casey, Jr. BY PROXY TO Collin Melancon
PRESENT Justin M. Chopin
PRESENT Anthony M. DiLeo BY PROXY TO Cortney Dunn
PRESENT Thomas M. Flanagan
PRESENT Valerie E. Fontenot
PRESENT William R. Forrester
PRESENT Judith A. Gainsburgh
PRESENT James C. Gulotta, Jr.
PRESENT Philip K. Jones, Jr. BY PROXY TO Tina Jumonville
PRESENT Mark D. Latham
PRESENT Kevin A. Marks
Chadwick J. Mollere
PRESENT Ebony S. Morris BY PROXY TO H. Minor Pipes III
Anne Neeb
Christopher K. Ralston
PRESENT D. Skylar Rosenbloom
Louis Gravois Schott
PRESENT Timothy H. Scott
PRESENT Karen B. Sher BY PROXY TO Paul Sterbcow
PRESENT Ronald J. Sholes
PRESENT Bradley J. Tate
PRESENT Irving J. Warshauer BY PROXY TO Claire Berg
PRESENT Edward D. Wegmann BY PROXY TO Graham H. Ryan
PRESENT Phillip A. Wittmann
PRESENT Jay C. Zainey, Jr.

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

Dick D. Knadler
Adrienne Danielle White

SECTION CHAIRS

Alyson V. Antoon, Animal Law
Tyler Arbour, Tax Section
Richard J. Arsenaault, Insurance, Tort, Worker's Comp & Admiralty Law
Jacqueline M. Brettner, Alternative Dispute Resolution
Susan J. Burkenstock, Trusts, Estate, Probate & Immovable Property Law
PRESENT Val P. Exnicios, Class Action, Mass Torts & Complex Litigation
Steven J. Farber, Government & Public Law

PRESENT Micah J. Fincher, Intellectual Property Law
Edgar D. Gankendorff, Art Entertainment & Sports Law

PRESENT Kathleen Gasparian, Immigration Law
Lauren E. Godshall, Environmental Law
Demarcus J. Gordon, Minority Involvement

PRESENT Edward T. Hayes, International Law
Leland G. Horton, Mineral Law
Abid Hussain, Solo & Small Firm
Louis C. LaCour, Appellate

PRESENT Lynn Luker, Civil Law & Litigation
Tristan E. Manthey, Bankruptcy Law
Alexander M. McIntyre, Antitrust & Trade Regulation
Kathlyn G. Perez, Labor Relations & Employment Law
Warren A. Perrin, Francophone
John W. Redmann, Bench & Bar
David L. Schroeder, Corporate & Business Law
H. Bruce Shreves, Fidelity, Surety & Construction Law
Jacob S. Simpson, Health Law
David A. Szwak, Consumer Protection Law
Jennifer J. Thomas, Administrative Law
Michael S. Walsh, Criminal Law
Melissa K. Watson, Public Utility
Jeffrey S. Wittenbrink, Family Law

**LOUISIANA STATE BAR ASSOCIATION
CRIMINAL JUSTICE COMMITTEE RESOLUTION**

CRIMINAL JUSTICE COMMITTEE MISSION STATEMENT AMENDMENT

WHEREAS, the Right to Counsel Committee was formed as a standing committee of the Louisiana State Bar Association in 2006; and

WHEREAS, the mission of the Right to Counsel Committee is to develop programs and methods which allow the Bar to work with the courts, other branches of government and the public to ensure that the constitutionally mandated right to counsel is afforded to all who appear before the courts; and

WHEREAS, the LSBA Board of Governors approved the name of the Right to Counsel Committee be changed to the Criminal Justice Committee in 2010 to reflect the group's broader perspective and encourage participation from agencies representing all sides of the criminal justice system, such as, the District Attorneys; and

WHEREAS, the mission statement has remained the same since the Committee's inception in 2006; and

WHEREAS, the Committee proposes amending the mission in order to reflect the broader scope of the Committee's work and the participation of prosecution, law enforcement, department of corrections, and other agencies represented in the criminal justice system on the Committee.

NOW THEREFORE BE IT RESOLVED that the LSBA House of Delegates approve the proposed amendment to the Criminal Justice Committee mission statement as follows:

The mission of the Louisiana State Bar Association Criminal Justice Committee shall be to recognize and address issues affecting the Louisiana criminal justice system, provide a forum for discussion, and work with stakeholders to develop programs and solutions for fair and effective administration of justice.

Respectfully Submitted,
LSBA Criminal Justice Committee
May 8, 2019



Graham Bosworth
Criminal Justice Committee
Chair
APPROVED BY HOUSE OF DELEGATES
JUNE 6, 2019
MIRAMAR BEACH, FL

APPROVED BY BOARD OF GOVERNORS
JUNE 7, 2019
MIRAMAR BEACH, FL

**RESOLUTION REGARDING
HOUSE OF DELEGATES LIAISON COMMITTEE**

WHEREAS, the Louisiana State Bar Association House of Delegates Rules of Procedure provide for a three-member House of Delegates Liaison Committee;

WHEREAS, the Rules of Procedure also provide that committee members are elected by the House of Delegates at the Midyear Meeting and serve three-year staggered terms;

WHEREAS, the Rules of Procedure currently provide that the chair of the Liaison Committee be elected from the three Liaison Committee members at the LSBA Midyear Meeting;

WHEREAS, the Rules of Procedure further provide that the chair of the committee be known as the House of Delegates Liaison and shall serve a one-year term as an ex-officio member of the Board of Governors, with the same rights and privileges of all other members of the Board, including the right to vote, as defined in the Association's Articles of Incorporation;

WHEREAS, all three committee members are invited to attend all meetings of the Board of Governors;

WHEREAS, if the chair is unable to attend the Board of Governors meeting, the Liaison Committee has no vote even if one or both of the other two members is present.

~~**NOW THEREFORE BE IT RESOLVED THAT** the most senior in tenure member of the House of Delegates Liaison Committee be designated as the House of Delegates Liaison, as set forth in the attached Appendix A; and~~

~~**BE IT FURTHER RESOLVED THAT** should the House of Delegates Liaison be unable to attend any meeting of the Board of Governors, the next senior in tenure member of the House of Delegates Liaison Committee be entitled to vote on behalf of the committee, also as set forth in the attached Appendix A.~~

May 8, 2019

Respectfully submitted,



Jeffrey A. Riggs,
House of Delegates, 15th Judiical District
Member, House of Delegates Liaison Committee

APPROVED AS AMENDED BY HOUSE OF DELEGATES
JUNE 6, 2019
MIRAMAR BEACH, FL

AMENDED VERSION APPROVED BY BOARD OF GOVERNORS

JUNE 7, 2019
MIRAMAR BEACH, FL

Appendix A

~~ARTICLES OF INCORPORATION~~

~~ARTICLE VII. BOARD OF GOVERNORS~~

~~Section 5. Terms~~

~~Members elected to the Board of Governors as representatives from the Board of Governors Districts shall serve terms of three (3) years. The terms for an elected member shall begin at the adjournment of the first annual meeting following his/her election and shall terminate at the adjournment of the fourth annual meeting following his/her election, or until the election and certification of his/her successor, whichever occurs later.~~

~~Prior to the Annual Meeting, the President Elect shall appoint an at large member for a three year term. The appointment shall be approved by the Board of Governors. The at large member's term will commence with the President Elect's installation as President and expire at the adjournment of the fourth annual meeting following his/her appointment or upon the appointment of his/her successor, whichever occurs later.~~

~~Members elected to the Board of Governors from the faculties of the Louisiana law schools and from the Council of the Louisiana State Law Institute shall serve terms of two years. Their terms shall begin at the adjournment of the first annual meeting following their election and expire at the adjournment of the annual meeting coinciding with the expiration of their terms or until the election and certification of their successors, whichever occurs later.~~

~~The member elected as the House of Delegates Liaison shall serve a term of one year. The member shall be elected at the Midyear Meeting and his/her term shall begin at the adjournment of the annual meeting and expire at the adjournment of the following annual meeting.~~

LOUISIANA STATE BAR ASSOCIATION HOUSE OF DELEGATES RULES OF PROCEDURE

Rule X COMMITTEE ON LIAISON

1. The House shall have a Committee on Liaison, which shall consist of three members elected by and from the House. Election of such members shall be held at the Midyear Meeting of the Louisiana State Bar Association. Committee members shall serve three-year terms beginning at the conclusion of the Annual Meeting immediately following their election and ending at the conclusion of the fourth Annual Meeting following their election.

Immediately following the election at each Midyear Meeting, the House shall elect one member from the Liaison Committee as constituted for the coming year to serve as the Chair for the term beginning at the conclusion of the Annual Meeting immediately following his/her election and ending at the conclusion of the second Annual Meeting following his/her election. The chairperson of said Committee shall be known as the House of Delegates Liaison and shall serve

as an ex-officio member of the Board of Governors, with the same rights and privileges of all other members of the Board, including the right to vote, as defined in Article VII, Section 1 of the Association's Articles of Incorporation. If the chairperson is unable to attend any meeting of the Board of Governors, the next senior in tenure member of the Liaison Committee shall have the right to vote on behalf of the Liaison Committee.

a) For the purpose of establishing three-year terms and a rotation of committee members, at the Midyear Meeting in 2011, three members of the Committee on Liaison shall be elected by and from the House of Delegates: one member from the 1st through 19th judicial districts for a one-year term; one member from the 20th through 42nd judicial districts for a two-year term; and one member from the 1st through 19th judicial districts for a three-year term. These members shall serve terms beginning at the conclusion of the 2011 Annual Meeting. Thereafter at each Midyear Meeting the House shall fill the vacancy on the Liaison Committee by electing a Liaison Committee member from the group of judicial districts (1st through 19th or 20th through 42nd) different from the group represented by the member whose term is expiring. Liaison Committee members may not be elected to serve consecutive terms. b) Only members of the House of Delegates are eligible to serve as members of the Liaison Committee. If a member of the Liaison Committee ceases to be a member of the House of Delegates at any time during his/her term on the Liaison Committee, the President shall appoint a member of the House to serve the remainder of such term on the Liaison Committee.

APPROVED AS AMENDED BY HOUSE OF DELEGATES

JUNE 6, 2019

MIRAMAR BEACH, FL

AMENDED VERSION APPROVED BY BOARD OF GOVERNORS

JUNE 7, 2019

MIRAMAR BEACH, FL

**RESOLUTION TO THE LOUISIANA BAR ASSOCIATION
HOUSE OF DELEGATES**

WHEREAS, the author of this resolution is the chair of the Legislation Committee for the Louisiana State Bar Association and has served on the Legislation Committee for many years.

WHEREAS, several mandatory state bar associations have been recently sued by their members for legislative activities and there is a case presently pending in the federal courts addressing this issue.

WHEREAS, the Louisiana State Bar Association should not take a legislative position that is unduly divisive.

WHEREAS, the Legislation Committee is required to adhere to house policy.

WHEREAS, in accordance with the Article VIII Section 6 of the Articles of Incorporation of the Louisiana State Bar Association, the current voting requirement for the House of Delegates to take a position on matters that are or may go before the legislature is a simple majority of the required numerical quorum of the House of Delegates.

WHEREAS, a policy position related to a legislative matter and only passed by a simple majority of the required numerical quorum of the House of Delegates could be viewed as unduly divisive, and as such the voting requirement should be increased to “three-fourths of the required numerical quorum of the House of Delegates”.

WHEREAS, I move that the House of Delegates propose that we amend Article VIII, Section 6 of the Articles of Incorporation of the Louisiana State Bar Association as follows:

“Article VIII

Section 6. Voting

Each member of the House of Delegates shall have one vote. Voting by proxy shall not be permitted except as hereinafter provided. The House of Delegates may adopt such rules as it deems proper for representation of an absent delegate by a member of the Association in good standing from the same judicial district as the absent delegate; provided, however, no person may be designated an alternate for more than one elected delegate and no elected delegate may serve as an alternate.

Each resolution presented to the House for passage shall be adopted by the House if it shall pass by a vote of a majority of those present and voting, provided, however, that any resolution of the House of Delegates having to do with the position of the Association ~~on legislation pending before the Legislature~~ shall require a vote in excess of ~~one-half~~ three-fourths of the required numerical quorum of the House of Delegates.”

(Words struck through with a line would be removed and underlined words would be added).

NOW, THEREFORE BE IT RESOLVED that the House of Delegates proposes that Article VIII, Section 6 of the Articles of Incorporation of the Louisiana State Bar Association be amended to state as follows:

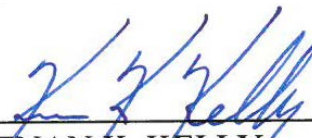
“Article VIII

Section 6. Voting

Each member of the House of Delegates shall have one vote. Voting by proxy shall not be permitted except as hereinafter provided. The House of Delegates may adopt such rules as it deems proper for representation of an absent delegate by a member of the Association in good standing from the same judicial district as the absent delegate; provided, however, no person may be designated an alternate for more than one elected delegate and no elected delegate may serve as an alternate.

Each resolution presented to the House for passage shall be adopted by the House if it shall pass by a vote of a majority of those present and voting, provided, however, that any resolution of the House of Delegates having to do with the position of the Association shall require a vote in excess of three-fourths of the required numerical quorum of the House of Delegates.”

Respectfully Submitted,



KEENAN K. KELLY
10TH JUDICIAL DISTRICT

APPROVED BY HOUSE OF DELEGATES AS AMENDED BY AUTHOR
JUNE 6, 2019
MIRAMAR BEACH, FL

AMENDED VERSION APPROVED BY BOARD OF GOVERNORS
JUNE 7, 2019
MIRAMAR BEACH, FL

(this is a proposed amendment to the Articles of Incorporation and will need to go to the membership

in fall 2019 for approval)

RESOLUTION

WHEREAS, the Louisiana State Bar Association (“LSBA”) was created in 1941 as a mandatory bar and has always maintained its status as a mandatory bar;

AND WHEREAS, the LSBA has more than 22,000 members;

AND WHEREAS, as a mandatory bar, the LSBA is best able to honor its purpose of serving the public and serving the profession;

AND WHEREAS, the LSBA’s Legislation Committee reviews proposed legislation and makes recommendations to the LSBA’s Board of Governors regarding supporting or opposing certain positions;

AND WHEREAS, the Board of Governors considers each recommendation before a final decision is made as to such legislative positions;

AND WHEREAS, the Legislation Committee and Board of Governors are bound by policy implemented by the LSBA’s House of Delegates;

AND WHEREAS, the Bylaws dictate that the Legislation Committee shall not involve itself in legislation which is ideological in nature, unrelated to the practice of law, or which is unnecessarily divisive;

AND WHEREAS, House of Delegates policies may require the Legislation Committee and the LSBA to take positions on legislation which may be considered unduly divisive or ideological in nature;

AND WHEREAS, the Legislation Committee may on its own take a position on legislation which may be considered unduly divisive or is ideological in nature;

AND WHEREAS, litigation is pending in Wisconsin, Oregon, Washington, Texas and Oklahoma challenging the status of mandatory bars in these States;

AND WHEREAS, litigation commenced in North Dakota, *Arnold V. Fleck v. Joe Welch, President of the State Bar Association of North Dakota, et al.*, Case No. 16-1564 on the docket of the United States Court of Appeal for the Eighth Circuit, has been ruled on by the United States Eighth Circuit Court of Appeal once, been submitted for review in the United States Supreme Court, and is now under consideration again by the United States Court of Appeal for the Eighth Circuit, challenging that State’s mandatory bar status;

AND WHEREAS, a common element in all litigation challenging mandatory bars relates to positions adopted by the bar associations of these States on potentially divisive matters or on political, ideological and social issues;

AND WHEREAS, the LSBA will take all steps necessary to protect its mandatory status and to continue to, at the highest level, serve the public and serve the profession;

AND WHEREAS, *Fleck* will likely offer guidance both at the Eighth Circuit and the United States Supreme Court as to the role of mandatory bars and what they can or cannot do;

AND WHEREAS, the LSBA does not wish to jeopardize its mandatory status in light of such potential rulings and seeks also to take all precautionary steps in this regard;

AND WHEREAS, it would be in the best interest of the LSBA until further rulings are made to have no action taken by the Legislation Committee.

BE IT RESOLVED THAT the LSBA's Legislation Committee and all related activities thereof be suspended until ~~appropriate decisions are made by the appellate courts and the United States Supreme Court affording rulings and guidance as to the status of mandatory bars or until such time as the House of Delegates votes to remove the suspension of the Legislation Committee the Midyear Meeting of the House of Delegates in January 2020, at which time the committee will be reactivated.~~

May 7, 2019.

Respectfully submitted,



Shayna Beevers Morvant
House of Delegates, 24th Judicial District

APPROVED BY HOUSE OF DELEGATES AS AMENDED BY AUTHOR
JUNE 6, 2019
MIRAMAR BEACH, FL

AMENDED VERSION APPROVED BY BOARD OF GOVERNORS
JUNE 7, 2019
MIRAMAR BEACH, FL

**RESOLUTION PROPOSED BY THE
TRANSITIONING LAWYERS COMMITTEE
OF THE LOUISIANA STATE BAR ASSOCIATION**

WHEREAS, the LSBA Transitioning Lawyers Committee (“Committee”) is charged as part of its mission, “to develop programs to assist those transitioning out of the practice of law...”; and

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

WHEREAS, a subcommittee was appointed to study emeritus status;

WHEREAS, the subcommittee, after a thorough review recommends adding emeritus status to the classifications of attorney membership status in Louisiana’s bar roll;

WHEREAS, the subcommittee’s recommendations were approved by the LSBA Transitioning Lawyers Committee;

WHEREAS, the Transitioning Lawyers Committee recommends adding emeritus status to the classifications of attorney membership status in Louisiana’s bar roll as set forth in the attached proposal labeled Exhibit “A”;

WHEREAS, emeritus members will have to be addressed in the LSBA governing documents;

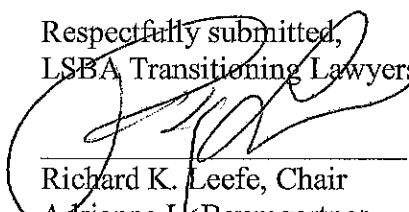
WHEREAS, the Transitioning Lawyers Committee recommends amendments to the LSBA governing documents as attached and labeled “Exhibit B”;

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

NOW THEREFORE BE IT RESOLVED THAT the LSBA House of Delegates approve amendments to the LSBA governing documents;

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

Respectfully submitted,
LSBA Transitioning Lawyers Committee


Richard K. Leefe, Chair
Adrienne L. Baumgartner
Thomas C. Cerullo
John H. Musser, IV
Michael A. Patterson
Freddie Pitcher, Jr.
Graham Harris Ryan
Joseph L. Shea, Jr.
Edward J. Walters, Jr.

APPROVED BY HOUSE OF DELEGATES
JUNE 6, 2019
MIRAMAR BEACH, FL

APPROVED BY BOARD OF GOVERNORS
JUNE 7, 2019
MIRAMAR BEACH, FL

Exhibit “A”

Proposal for Sections 3 and 4 of Supreme Court Rule XVIII.

* * *

Section 3. Application for Transfer to Inactive Status or Emeritus Status.

(A) Inactive Status. A lawyer in good standing who is not engaged in the active practice of law may advise the Louisiana State Bar Association in writing that the lawyer desires to assume inactive status and discontinue the practice of law. Upon the filing of the notice, the Louisiana State Bar Association shall inform the Court and the lawyer shall no longer be eligible to practice law. A lawyer who is on inactive status shall not be obligated to pay bar association dues or the annual fee imposed by Rule XIX upon active practitioners. A lawyer on inactive status shall be removed from the roll of those classified as active until and unless the lawyer requests and is granted reinstatement to the active rolls.

(B) Emeritus Status. A lawyer in good standing who no longer desires to engage in the full time active practice of law may apply to transfer to emeritus status if, at the time of application, the lawyer: (i) is otherwise eligible to actively practice law in Louisiana; (ii) is fifty-five years of age or older; and (iii) has actively practiced law in Louisiana for a minimum of fifteen years. A lawyer applying for such a transfer shall advise the Louisiana State Bar Association in writing that the lawyer desires to assume emeritus status and discontinue the active practice of law. Upon the filing of the notice, the Louisiana State Bar Association shall inform the Court and the lawyer shall no longer be eligible to practice law except to the extent that the lawyer may: (i) engage in the pro bono practice of law through a program established, sponsored, or recognized by the Louisiana State Bar Association’s Access to Justice Committee; (ii) participate in any mentoring program established by the Louisiana State Bar Association; (iii) engage in the uncompensated representation of immediate family members, as defined in La. R.S. 42:1102; (iv) serve

on committees of the Louisiana State Bar Association; and (v) serve on receivership team panels, as defined in Rule XIX, § 27. The duty to maintain a client trust account is not changed by transfer to emeritus status. A lawyer on emeritus status and who otherwise would be obligated to pay them shall pay fifty percent of the annual bar association dues imposed upon active practitioners and shall pay fifty percent of the annual disciplinary fee required of lawyers admitted to practice three years or more pursuant to Rule XIX, § 8. A lawyer on emeritus and not otherwise exempt shall comply with the continuing legal education requirements imposed by Rule XXX. A lawyer on emeritus status shall be removed from the roll of those classified as active until and unless the lawyer requests and is granted reinstatement to the active rolls.

Section 4. Reinstatement from Inactive Status or Emeritus Status.

(A) Inactive Status. Any lawyer on inactive status under Section 3(A) of this rule shall be reinstated if the lawyer makes application to the Louisiana State Bar Association within five years of the date of transfer to inactive status. Any lawyer who fails to make application for reinstatement within five years of the effective date of transfer to inactive status may, in the discretion of the court upon notice from the Louisiana State Bar Association, be required to petition for reinstatement under Rule XIX, § 24.

(B) Emeritus Status. Any lawyer on emeritus status under Section 3(B) of this rule shall be reinstated to active status if the lawyer makes application to the Louisiana State Bar Association and makes full payment of the annual bar association dues and the annual disciplinary fee required by Rule XIX, § 8. If at the time of application for reinstatement to active status, a lawyer on emeritus status has already submitted payment for the annual bar association dues and the annual disciplinary fee for that year, the lawyer shall make payment of the remainder due for that year before being granted reinstatement to active status.

* * *

Exhibit “B”

ARTICLES OF INCORPORATION OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE IV. MEMBERSHIP

Section 4. Emeritus Members

Members age 55 and older who have been engaged in the active practice of law in Louisiana for a minimum of fifteen (15) years may be enrolled as an Emeritus member upon written request to the Secretary, who then shall notify the Supreme Court accordingly.

Emeritus members shall not be eligible to practice law except to the extent that they may engage in the pro bono practice of law through a program established, sponsored, or recognized by the Access to Justice Committee; (ii) participate in any mentoring program established by the Louisiana State Bar Association; (iii) engage in the uncompensated representation of immediate family members, as defined in La. R.S. 42:1102; (iv) serve on committees of the Louisiana State Bar Association; and (v) serve on receivership team panels, as defined in Rule XIX, § 27.

Emeritus members shall be entitled to exercise all other rights of membership, except the right to hold office.

Section 4~~5~~. Inactive Members

Any member in good standing may be enrolled as an inactive member upon his written request to the Secretary, who then shall notify the Supreme Court accordingly.

Section 5~~6~~. Authority to Practice Law Restricted

With the exception of Emeritus members as set forth in Section 4 of these Articles of Incorporation, ~~No~~ no person shall practice law in this State unless he/she is an active member, in good standing, of this Association.

BY-LAWS OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE I. REGISTRATION AND DUES

Section 1. Dues

The annual membership dues for active members who shall have been admitted to the practice of law in the State of Louisiana for more than three years shall be Two Hundred and No/100 Dollars (\$200.00), ~~and~~ for those active members who have been admitted for three years or less shall be Eighty and No/100 Dollars (\$80.00), and for Emeritus members, dues shall be fifty (50) percent of the dues rate charged to members admitted to practice law in the State of Louisiana for more than three years. Newly admitted members' annual dues of \$80.00 shall be paid at the time the oath is administered. There shall be no pro-ration of dues.

**Louisiana State Bar Association
Intellectual Property Law Section**

WHEREAS, the Intellectual Property Law Section has not updated its bylaws since it was originally formed;

WHEREAS, the annual dues for section membership is set at \$25;

WHEREAS, the section has greatly expanded the scope of its beneficial activities for its members, the section intends to further enhance its programs and activities for its members and requires additional resources to reach these goals;

WHEREAS, the section membership met on March 21, 2019, and unanimously voted to approve the attached amendments to the section bylaws, which, among other things, increased section dues from \$25 to \$35 and permits officer elections to be conducted online instead of paper ballots;

WHEREAS, under Article IX, Section 4 of the By-Laws of the Louisiana State Bar Association, amendments to section bylaws become effective when approved by the House of Delegates;

NOW, THEREFORE, BE IT RESOLVED, that the bylaws of the Intellectual Property Section, as amended, are approved and shall be effective July 1, 2019.

Respectfully submitted,



Intellectual Property Law Section
Micah J. Fincher, Chair

**APPROVED BY HOUSE OF DELEGATES
JUNE 6, 2019
MIRAMAR BEACH, FL**

**APPROVED BY BOARD OF GOVERNORS
JUNE 7, 2019
MIRAMAR BEACH, FL**

LOUISIANA STATE BAR ASSOCIATION
BY-LAWS OF THE INTELLECTUAL PROPERTY SECTION

ARTICLE I

NAME AND PURPOSE

Section 1. This Section shall be known as the Intellectual Property Section. It is formed as a section of the Louisiana State Bar Association ("LSBA") and shall operate in accordance with the LSBA's Articles of Incorporation ("LSBA AOI") and the By-Laws of the LSBA ("LSBA By-Laws")

Section 2. The purpose of this Section shall be to encourage and foster discussions in the field of intellectual property, including existing statutes and jurisprudence; to contribute to and provide opportunities for the continuing education of the attorney who practices in the intellectual property field; to promote interest in and study of the existing statutes and jurisprudence, which govern this field the importance of intellectual property to the public; and to cooperate and establish liaison with the Louisiana State Bar Association, American Bar Association, local bar associations and the legal academic community to achieve these purposes whenever possible in a manner not otherwise inconsistent with these By-Laws.

ARTICLE II

MEMBERSHIP AND DUES

Section 1. Any member in good standing of the Louisiana State Bar Association or any attorney registered to practice before the United States Patent and Trademark Office and whose practice includes patents, trademarks, copyrights, trade secrets and/or unfair competition or unfair trade practices shall, upon request to the Secretary of the Association, be enrolled as a member of the Section. Members so enrolled and whose dues are paid shall constitute the membership of this Section.

Section 2. Dues for membership in this Section shall be ~~\$325.00~~ \$325.00 per year, payable upon enrollment and thereafter annually on the same fiscal ~~1-~~ year basis as Louisiana State Bar Association dues. Members of the judiciary shall not be obligated to pay dues.

Section 3. Any member whose annual dues shall be more than six months delinquent shall immediately cease to be a member of this Section. Only Section members in good standing, with dues paid, ~~shall be eligible to~~ may vote, hold any Section office, or receive Section publications.

ARTICLE III

OFFICERS AND ELECTIONS

Section 1. The general officers of this Section shall be ~~a Chairman~~ President, ~~President~~, ~~a Vice-Chairman~~ President, Secretary, and Treasurer.

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~~and a Secretary-Treasurer. The officers shall serve ex-officio as members of the Council.~~

Section 2. Members in good standing may be nominated for any officer position of the Section. At least 90 days before the LSBA Annual Meeting, the Vice President shall communicate to the members: the date, time, and location of the Section's Annual Meeting; announce any officer nominations received to date, if any; and the deadline for members to submit to the Secretary any other officer nominations. After such nomination deadline, the Secretary shall communicate to the members: all officer nominations received; the deadline for members to vote on such nominations, which shall be at least 14 days following such communication; and instructions for members to cast their vote, which shall include electronic means via the Internet.

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Section ~~3~~². Each officer shall hold office for a term of ~~two~~^{one} years, to begin with the adjournment of the ~~a~~^{Annual Meeting} of the Section at which the member was elected and to end at the close of the second succeeding ~~a~~^{Annual Meeting} of the Section; or until such time as a successor shall have been elected. Officers shall take office at the adjournment of the first ~~Annual Meeting of the LSBA following their election and shall serve until the adjournment of the second Annual Meeting of the LSBA following their election. The information on the election of officers shall be forwarded to the offices of the LSBA no later than fifteen (15) days subsequent to the LSBA Annual Meeting.~~

Section 4. Subject to approval by the President, the President-elect may propose a budget and programing for the coming fiscal year to be included in the Section's annual report to the LSBA.

Section 3. ~~Upon ratification of the Section By Laws and adoption of the Resolution creating an Intellectual Property Section by the membership of the Association, the first ChairmanPresident, Vice ChairmanPresident and Secretary Treasurer shall be appointed by the President of the Louisiana State Bar Association to serve for two years. Thereafter, tThe officers shall be elected by the Section membership in the manner hereinafter set forth.~~

ARTICLE IV

DUTIES OF THE OFFICERS

Section 1. ~~ChairmanPresident~~^{President}. The ~~ChairmanPresident~~^{ChairmanPresident}, or the Vice-~~ChairmanPresident~~^{ChairmanPresident} in the absence of the ~~ChairmanPresident~~^{ChairmanPresident}, shall preside at all meetings of the Section ~~and the Council~~. On consultation with the ~~Council~~^{Executive Committee}, the ~~ChairmanPresident~~^{ChairmanPresident} shall establish such ~~other~~ committees as are deemed necessary and appoint the chairmen and members thereof who are to hold office during the ~~ChairmanPresident~~^{ChairmanPresident}'s term. The ~~ChairmanPresident~~^{ChairmanPresident} shall plan and supervise the program of the Section and the performance of all activities of the Section. ~~The ChairmanPresident shall keep the Council informed and carry out its decisions.~~ The ~~ChairmanPresident~~^{ChairmanPresident} shall formulate and present a report of the work of the Section for the year at each annual meeting of the Louisiana State Bar Association, ~~and shall perform such other acts as usually accompany the office. Together with the Treasurer, the~~

President may sign checks disbursing funds for expenses duly authorized by the Executive Committee.

Section 2. Vice ~~Chairman~~President. The Vice-~~Chairman~~President shall assist the ~~Chairman~~President, performing such tasks as shall be assigned by the ~~Chairman~~President or otherwise set forth in these By-Laws. In the absence of the ~~Chairman~~President, or upon the death, resignation or disability of the ~~Chairman~~President, the Vice-~~Chairman~~President shall perform the duties of the ~~Chairman~~President for the remainder of the term of office; provided that, in the case of disability, the Vice-~~Chairman~~President shall act only during the pendency of the disability.

Section 3. ~~Secretary-Treasurer~~Treasurer. Treasurer shall assist with developing all budgets for the Section, monitor spending by the Section, and maintain the Section website. Together with the President, the Treasurer may sign checks disbursing funds for expenses duly authorized by the Executive Committee. ~~shall sign any application for and execute any bond as may be requested by any officer of the Section and/or member of the Council pursuant to any resolution duly adopted for any bond for the purpose of protecting the monies of the Section. Any cost or premium for such bond, however, shall not be borne by the officer, but shall be an expense of the Section and paid from the funds of the Section.~~ The Secretary-Treasurer shall be the custodian of all books, papers, documents and other property of the Section, and shall keep a true record of the proceedings of all meetings of the Section and of the Council, whether assembled or acting under submission. With the ~~Chairman~~President, the Secretary-Treasurer shall prepare a summary or digest of the proceedings of the Section at its annual meeting for publication in the Annual Report of the Louisiana State Bar Association. The Secretary-Treasurer, in conjunction with the ~~Chairman~~President as authorized by the Council, shall attend generally to the business of the Section.

Section 4. ~~The Secretary, Treasurer shall sign any application for and execute any bond as may be requested by any officer of the Section and/or member of the Council pursuant to any resolution duly adopted for any bond for the purpose of protecting the monies of the Section. Any cost or premium for such bond, however, shall not be borne by the officer, but shall be an expense of the Section and paid from the funds of the Section.~~

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

Section 5. Executive Committee. By majority vote, the Executive Committee may authorize the Section to enter into contracts and authorize the expenditure of available Section funds.

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ARTICLE V
THE COUNCIL EXECUTIVE COMMITTEE

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Section 1. The Council Executive Committee of the Section shall be composed of ~~the officers~~ the President, Vice President, Treasurer, and Secretary, ~~two members of the Section elected by Section membership, and the retiring Chairman, who shall be a nonvoting member for two years following retirement.~~

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

Section 3. The Council Executive Committee of the Section is authorized to take action in the name of the Section during intervals between meetings of the Section. All binding action of the Council Executive Committee shall be by majority vote of the ~~whole Council~~ Executive Committee. In the event of a tie, the President, or the Vice-President in the absence of the President, shall cast the tie breaking vote.

~~Section 4. The Council, during the interim between annual meetings of the Section may, with the concurrence of the Chairman, fill vacancies in its own membership or in the offices of the Vice Chairman or Secretary Treasurer and, in the event of vacancies in the offices of both Chairman and Vice Chairman, then also in the office of Chairman. Members of the Council and officers so elected shall serve until the close of the next annual meeting of the Section.~~

Section 5. ~~Members of the Council~~ The Executive Committee shall vote in person when present at a meeting of the Council Executive Committee. When ~~members an officer~~ contemplates ~~his or her~~ 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 ~~Chairman~~ President of the Section may submit or cause to be submitted in writing to each of the ~~members of the Council~~ other officers any proposition upon which the Council Executive Committee may be authorized to act, and the members of the Council Executive Committee may vote on 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 Council Executive Committee thereon, and keep on file such written and signed votes. If the votes of a majority of the members of the Council 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 Council Executive Committee. The Council Executive Committee of the Section may take action in the name of the Section whenever proposals are brought before the Council Executive Committee for an expression of views and recommendations ~~to the Board of Governors of the Association~~ to the LSBA.

~~Section 7. — The President of the Louisiana State Bar Association shall appoint two members of the Section to serve on the first Council. One member shall be appointed to serve on the Council for one year and one member to serve on the Council for two years. At the~~

3

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~~expiration of each initial term, one member of the Council shall be elected in the manner hereinafter set forth to serve a term of three years. Each term will begin with the adjournment of the annual meeting at which the member was elected and will end at the close of the third succeeding annual meeting of the Section.~~

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ARTICLE VI

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ELECTION OF OFFICERS AND COUNCIL

~~Section 1. Annually, the Chairman shall appoint a Nominating Committee of three members of the Council. This Committee shall make and report one nomination for each office and council position which is to be filled by election in that year, identifying each nominee and including a brief statement of the activities undertaken by the nominee in the Section and in the law profession. Upon receipt of the Committee report, the President of the Section shall have it published to Section members prior to the Annual Meeting.~~

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~~Section 2. Upon receipt of the Committee report, the Chairman of the Section shall have it published to Section members prior to the Annual Meeting. Added nominations may be made prior to the meeting by means of a petition signed by not less than ten members of the Section. At each Annual Meeting, Section members may nominate themselves or other Section members to the Secretary for each office to be filled by election in the following year.~~

~~Section 3. Ballots in such form as determined by the Section Council shall be placed in the mail to all members of the Section. Each mailing shall contain the names of all nominees and shall be accompanied by a brief biographical statement of each nominee. Each mailing shall include an envelope addressed to the Secretary-Treasurer of the Section and identified on the outside as containing a member's ballot. The Section Council, in cooperation with the Chairman, shall prescribe the method and timing of mailing and return of these ballots to insure the receipt of all valid votes by noon on the opening day of the annual meeting. Election shall be by plurality of the votes cast by mail. Officers shall be elected from the nominated Section members at the Annual Meeting. Section members unable to attend the Annual Meeting may email their vote or proxy to the Secretary before the Annual Meeting. [RESERVED]~~

ARTICLE VII

MEETINGS

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~~Section 1. The Annual Meeting of the Section may shall be held during the annual meeting of the Louisiana State Bar Association, with such program and order of business as may be arranged by the Council in the month of December each year. The CouncilThe Executive Committee will select the date for the Section Annual Meeting and communicate it to the Section members at least one month in advance.~~

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Section 2. Special meetings of the Section may be called by the ~~Chairman~~President upon approval of the ~~Council~~Executive Committee, at such time and place as the ~~Council~~Executive Committee and ~~Chairman~~President may determine.

Section 3. The members of the Section present at any meetings shall constitute a quorum for the transaction of business, and the Section shall be bound by a majority vote of the members present at such meeting.

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ARTICLE VIII

MISCELLANEOUS PROVISIONS

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

Section 2. All bills incurred by the Section shall, before being paid, be approved by the Chairman~~President~~ or Vice-Chairman~~President~~ and the Secretary~~Treasurer~~~~Treasurer~~, or otherwise as the Council~~Executive Committee~~ may direct, ~~and checks for all disbursements shall be signed by the President or Vice President and Secretary Treasurer or such other officer as the Council may authorize, except as to funds appropriated by the Board of Governors which shall be disbursed only by the proper officers of the Louisiana State Bar Association on bills approved by the Council.~~

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

Section 4. These By-Laws shall become effective immediately upon approval thereof, ~~as required by the Articles and By Laws of the Louisiana State Bar Association in accordance with the LSBA AOI and LSBA By-Laws.~~

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

ARTICLE IX

AMENDMENTS

Section 1. These By-Laws may be amended at ~~any the Section a~~ Annual m ~~Meeting of the Section by a majority vote of the members of the Section present and voting, provided such proposed amendment shall first have been approved by a majority of the Council, and provided further that no amendment so adopted shall become effective until approved by the Board of Governors of the Louisiana State Bar Association in accordance with the LSBA AOI and LSBA By-Laws.~~

Section 2. The Executive Committee ~~may pr~~ Council ~~may~~ propose amendments by majority vote ~~of the Council~~. Amendments also may be proposed by submission in writing to the Council~~Executive Committee~~ in the form of a petition signed by at least ten members of the Section in time for it to be considered by the Council~~Executive Committee~~ ~~at its last regular meeting~~ at least one week before the ~~a~~ Annual m ~~Meeting of the Section at which it is to be voted upon~~. The Council~~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 Section by the Secretary ~~Treasurer~~ prior to the a Annual m ~~Meeting of the Section~~ at which they will be voted upon.

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RESOLUTION

~~WHEREAS, the Articles and By Laws of this Association provide that Sections of the Association may be created when the Association deems proper, and in furtherance of its public obligations;~~

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~~WHEREAS, 28 members of the Association, as charter members of the Intellectual Property Section (hereinafter referred to as "Charter Members") have expressed interest in the creation of the Intellectual Property Section;~~

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~~WHEREAS, the Charter Members have prepared proposed By Laws for the Intellectual Property Section;~~

~~NOW THEREFORE, BE IT RESOLVED that the creation of the Intellectual Property Section be approved by the House:~~

~~BE IT FURTHER RESOLVED, that the proposed By Laws of the Intellectual Property Section as set forth in the attachment hereto be approved by this House and adopted by this Section.~~

LOUISIANA STATE BAR ASSOCIATION
COMMITTEE TO STUDY NEED FOR
INTELLECTUAL U-I, PROPERTY SECTION

2019-2020 Executive Committee

Micah Fincher, President-Elect

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Gregory Stein, Vice President-Elect

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William Buckley, Treasurer-Elect

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Stephen Kepper, Secretary-Elect

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By: C. Dean Domingue, Chair San
Charter Members:

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Bill Abbott

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~~Ted Anthony Pamela L. Ashman Joe
Breaux~~

~~Len R. Brignac Jim Crawford Cary
J. Deaton Warner J. Delaune
Carolyn Dietzen Stephen R. Doody
N. Elton Dry Mike Eckstein
Marjorie R. Esman William Gerry,
Jr. Ashton R. Hardy~~

Julie Hartman Dianne Hill

Jesse D. Lambert Joseph Lemoine
Juan Lizarraga Marilyn C. Maloney
Floyd R. Nation Hank Naylor Seth
Nehrbass Joel R. Penton John H.
Runnels Shepard Samuels Eric D.
Suben Kathryn Tsigotis Robert
Waddle