



*Serving the Public. Serving the Profession.*

## **BOARD OF GOVERNORS**

**Friday, October 23, 2020**

**Alexandria, LA**

### **\* MINUTES \***

President Alainna R. Mire called the meeting to order at 2:30 p.m., Friday, October 23, 2020, in Alexandria, Louisiana. Business was conducted in accordance with the agenda below.

#### **Agenda Item 1. Roll Call**

Ms. Larsen called roll and advised that the following members, who constituted a quorum, participated:

President, Alainna R. Mire  
President-Elect, H. Minor Pipes III (by Zoom)  
Secretary, Patrick A. Talley, Jr.  
Treasurer, John E. McAuliffe, Jr.  
Immediate Past President, Robert A. Kutcher  
Chair, Young Lawyers Division, Carrie L. Jones  
First Board District Representative, Scott L. Sternberg  
Third Board District Representative, Dwazendra J. Smith  
Fourth Board District Representative, Todd S. Clemons  
Fifth Board District Representative, Kelly M. Rabalais (by Zoom)  
Fifth Board District Representative, Adrian G. Nadeau (by Zoom)  
Sixth Board District Representative, Edward L. Tarpley, Jr.  
Seventh Board District Representative, Paul L. Hurd  
Eighth Board District Representative, Lauren B. McKnight  
At-Large Member, Tina L. Suggs  
At-Large Member, Adrejia B. Swafford (by Zoom)  
From the Faculty of Loyola University College of Law, Monica Hof Wallace  
From the Faculty of Southern University Law Center, Donald W. North (by Zoom)  
From the Louisiana State Law Institute, Zelda W. Tucker (by Zoom)  
House of Delegates Committee on Liaison Chair, Shayna Beevers Morvant  
House of Delegates Committee on Liaison Member, Ann S. Siddall  
House of Delegates Committee on Liaison Member, D. Skylar Rosenbloom (by Zoom)

Also present were:

From the Leadership LSBA 2019/2020 Class:  
Nashon Route  
JLAP Board of Directors President, Shayna S. Sonnier  
Executive Director, Loretta Larsen, CAE (by Zoom)

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Associate Executive Director, Cheri Cotogno Grodsky (by Zoom)  
Access to Justice Directory, Monte Moller (by Zoom)  
Director of Communications, Kelly Ponder (by Zoom)  
Director of Member Outreach and Diversity, Tricia Pierre (by phone)  
Information Technology Director, Ashley Cambre  
Executive Assistant, Jennifer France

Absent were:

First Board District Representative, Lawrence J. Centola III  
Second Board District Representative, Erin O. Braud  
At-Large Member, Lynn Luker

**Agenda Item 2. Consent Calendar**

- a. Minutes of August 29, 2020** - Consideration of approval of minutes of August 29, 2020 meeting;
- b. Louisiana Center for Law and Civic Education** - Periodic report from the LCLCE, as required by the April 2010 agreement;

Upon motion by Mr. Kutcher and second by Mr. McAuliffe, the Board unanimously approved the Consent Calendar without discussion or debate.

**Agenda Item 3. 2021 Annual Meeting/Summer School Fee Schedule – Loretta Larsen**

Ms. Larsen presented the proposed fee schedule for the 2021 meeting, noting that there were no changes from the fee schedule approved for the 2020 meeting (which was cancelled). Upon motion by Mr. Kutcher and second by Mr. Clemons, the Board unanimously approved the fee schedule.

**Agenda item 4. LSBA Appointment to Louisiana Attorney Disciplinary Board Administrative Committee – Alainna R. Mire**

Ms. Mire asked the Board to consider the appointment of Valerie Briggs Bargas of Baton Rouge to the Louisiana Attorney Disciplinary Board Administrative Committee for term beginning January 1, 2021 and ending December 31, 2021. Ms. Bargas would replace Wendy E. W. Giovingo of Monroe who is completing her third one-year term and is not eligible for reappointment. Upon motion by Ms. Jones and second by Mr. Pipes, the Board unanimously approved recommending Ms. Bargas' appointment to the Louisiana Supreme Court.

**Agenda Item 5. MCLE Committee Appointments – Alainna R. Mire**

Ms. Mire asked the Board to consider the following appointments as unanimously recommend by the Executive Committee:

- Reappointment of Monique M. Edwards of Baton Rouge, whose term is expiring December 31, 2020 and is eligible for reappointment for a three-year term which would expire December 31, 2023;
- Appointment of Patrick A. Talley, Jr. of New Orleans and W. Michael Street of Monroe, both for terms which would begin immediately and expire December 31, 2022. These

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individuals would replace Jan M. Hayden of New Orleans and Mike C. Sanders of Monroe, both of whom have served two three-year terms and are not eligible for reappointment; and

- Appointment of Barbara Bell Melton of Alexandria for a term which would begin January 1, 2021 and end December 31, 2023. She would replace Robert G. Levy of Alexandria, whose second term will expire December 31, 2020 and who is not eligible for reappointment.

Upon motion by Mr. Kutcher and second by Mr. Pipes, the Board approved the recommendations, with Mr. Sternberg abstaining.

**Agenda Item 6. Committee on Bar Admissions – Alainna R. Mire**

Ms. Mire asked the Board to approve recommending to the Louisiana Supreme Court the appointment of Erin Wedge Latuso as Examiner for the Louisiana Code of Civil Procedure section of the Louisiana Bar Exam. Ms. Latuso would replace David R. Frohn, who recommended her as his replacement. Upon motion by Ms. Wallace and second by Mr. Pipes, the Board voted unanimously to make the recommendation to the Court.

**Agenda Item 7. 2021 Midyear Meeting – Alainna R. Mire**

Ms. Mire asked the Board to consider the format in which to hold the 2021 Midyear Meeting in light of COVID-19. She reported that it is not prudent to hold the 50-, 60-, 70-year member reception at this time and would hope that this event could take place later in 2021. The Board agreed with this recommendation. She then recommended that the Board consider a virtual format for the House of Delegates meeting as was being unanimously recommended by the Executive Committee. She reported that funds in the Midyear Meeting budget could be used to offset costs of meeting virtually. Mr. Kutcher moved that the January 2021 House of Delegates meeting be held virtually, with details to be worked out by the Executive Committee and staff. Mr. McAuliffe seconded.

Mr. Hurd moved to amend the motion to require a hybrid meeting which would include some in-person attendance and some virtual attendance. After some discussion, Mr. North called the question. Mr. Sternberg, Mr. Hurd, and Ms. Morvant voted in favor of the amendment and 11 members voted against, resulting in the amendment's failure.

Ms. Siddall proposed a friendly amendment to ask LSBA staff to explore a hybrid option and provide information to the Executive Committee, which would make a recommendation to the Board by the end of November. Mr. Kutcher accepted the amendment and Mr. Sternberg seconded. After a brief discussion, the Board voted to approve the motion with Mr. Hurd dissenting.

**Agenda Item 8. Consideration of Resolution – Cheri Cotogno Grodsky**

Ms. Grodsky asked the Board to consider the adoption of a resolution thanking David W. Leefe for his 16 years of service as chair of the Client Assistance Fund Committee. Upon motion by Mr. North and second by Ms. McKnight, the Board unanimously approved the recommendation.

**Agenda Item 9. Consideration of Employee Retirement Contribution – Alainna R. Mire**

Ms. Mire asked the Board to consider the annual employee retirement contribution equal to 10 percent of gross wages for LSBA and JLAP employees meeting eligibility requirements (JLAP employees' contributions are funded through JLAP budget). Funds for LSBA employees' contribution were approved in the 2020/2021 budget adopted by the Board on June 12, 2020. Upon motion by Mr. Kutcher and second by Mr. Hurd, the Board unanimously approved the recommendation.

**Agenda Item 10. Election Report – Alainna R. Mire**

Ms. Mire referred the Board to the qualifying report for the 2020-2021 elections.

**Agenda Item 11. Judges and Lawyers Assistance Program – H. Minor Pipes III**

- a. Executive director search** – Ms. Sonnier was asked to join the meeting and reported that the search for a new JLAP executive director is going well. They are expanding their search in order to obtain more applications and have revised the qualifications to read "lawyer preferred." She noted that they will be conducting interviews next month.
- b. Mandatory reporting to LSBA** – Ms. Mire reported that JLAP timely submitted the second quarter report and referred members to the report in the materials.

**Agenda Item 12. Single Billing 2020/2021 – Loretta Larsen**

Ms. Larsen referred members to the report on billing/payment of dues and assessment. She noted 327 members were certified ineligible on Monday, October 19, after having been given an additional month to pay due to COVID-19. She also reported 277 members elected Emeritus Status, as compared to 200 which were budgeted. Finally, she noted there were far fewer requests for dues exemptions than budgeted, which more than offset the additional transfers to Emeritus Status.

**Agenda Item 13. Strategic Plan Update – Alainna R. Mire**

Ms. Mire referred members to the report which illustrated plan progress to date and commended LSBA staff on continuing to achieve the goals as set forth in the plan.

**Agenda Item 14. Report of the President – Alainna R. Mire**

- a. Committee to Review HOD Policies** – Ms. Mire reported that the committee is working diligently to address HOD policies, some of which date back to 1997, and is working to submit a number of resolutions to the House of Delegates for consideration in January.
- b. November 2020 CLE at Grand Hotel Point Clear Autograph Collection** – Ms. Mire reported that the LSBA was hosting a CLE at the Grand Hotel the weekend before Thanksgiving.
- c. BOG Meeting** – Ms. Mire reported that the Board of Governors' next meeting will be held Friday, January 22, in conjunction with the January 21-23 Midyear Meeting.

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**Agenda Item 15. Report of the President-Elect – H. Minor Pipes III**

Mr. Pipes reported that plans were underway for the 2021 Annual Meeting/Summer School for Lawyers and Judges and that he was optimistic the meeting could be held in person. However, he added, the meeting will be converted to a virtual meeting should circumstances prevent an in-person meeting in June 2021.

**Agenda Item 16. Report of the Treasurer – John E. McAuliffe, Jr.**

Mr. McAuliffe reported that he made the decision to cancel the Budget Committee meeting scheduled for earlier in the day because it is still too early to make determinations as to how the pandemic will impact the FY 2020/2021 budget. The next meeting is scheduled to be held on Thursday, January 21, in conjunction with the Midyear Meeting.

**Agenda Item 17. Report of the Secretary – Patrick A. Talley, Jr.**

Mr. Talley reported that he and Past President Kim Boyle did a farewell interview with Chief Justice Bernette Joshua Johnson that will be published in the December *Bar Journal*. Ms. Mire added that a farewell event will be held for the Chief at a later date.

**Agenda Item 18. Report of the Immediate Past President – Robert A. Kutcher**

Mr. Kutcher waived his report.

**Agenda Item 19. Report of the Young Lawyers Division Chair – Carrie LeBlanc Jones**

Ms. Jones waived her report but did ask if the Young Lawyers Division should continue planning for their CLE at the Midyear Meeting, to which Ms. Mire said Ms. Jones should continue.

**Agenda Item 20. Report of the Executive Director – Loretta Larsen**

Ms. Larsen reported that the Bar Center is open to staff and remains closed to the public, protocols related to COVID-19 are in place, and it is unlikely that the Bar Center will open to the public before the end of 2020.

**Agenda Item 21. Report of the Associate Executive Director – Cheri Cotogno Grodsky**

Ms. Grodsky reported that the virtual Bridging the Gap CLE held October 13-15 had 300 attendees, and the Centennial of the 19<sup>th</sup> Amendment CLE was held on October 19 and went well. She also reported that many of the November seminars will be held virtually, and she is hoping to be able to hold more in-person programs in December.

**Agenda Item 22. Staff Reports**

Ms. Mire referred members to the written report from Access to Justice included in the materials. Ms. Mire noted that an action item was included from the Outreach Committee behind this tab. She asked the Board to consider the recommendation of the following recipients of the Citizen Lawyer Award: Betty A. Maury, Henry C. Perrett, Jr., Warren A. Perrin, and Marshall M. Redmon. Upon motion by Mr. Kutcher and second by Mr. Sternberg, the Board unanimously approved the recommendations.

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**Agenda Item 23. Executive Session – Litigation Update**

At 3:29 p.m., Mr. Kutcher moved that the Board go into Executive Session to discuss litigation, which motion was seconded by Mr. McAuliffe. Ms. Mire asked all non-members to exit the meeting. The Executive Session ended at 3:38 a.m.

**Adjourn**

There being no further business, the meeting was adjourned at 3:38 p.m.

Respectfully Submitted:

A handwritten signature in dark ink, appearing to read "P. Talley, Jr.", written in a cursive style.

Patrick A. Talley, Jr.  
Secretary

APPROVED BY BOARD OF GOVERNORS  
JANUARY 22, 2021  
BATON ROUGE/VIA ZOOM